

2025 LEGISLATIVE HISTORY



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MINUTES City of Modesto SAFETY AND COMMUNITIES COMMITTEE / COUNCIL WORKSHOP

**2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, January 13, 2025 at 4:00 PM**

Meeting called to order at 4:05 p.m.

Roll Call: Present: Chair Williams, Vice-Chair Ricci,
Absent: Member Escutia-Braaton

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

**CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-3 (Ricci/Williams; 2/0; Escutia-Braaton absent)**

CONSENT

Consent

1. Consider a Memorandum of Understanding (MOU) for Service between the City of Ceres, the City of Modesto, the Stanislaus Consolidated Fire Protection District (SCFPD), the City of Turlock, and the Stanislaus County Fire Warden’s Office for Fire Department Training Services and forwarding to the Council for approval. (Funding Source: General Fund)

- Motion recommending a Memorandum of Understanding (MOU) for Service between the City of Ceres, the City of Modesto, the Stanislaus Consolidated Fire Protection District (SCFPD), the City of Turlock, and the Stanislaus County Fire Warden’s Office for Fire Department Training Services and forwarding to the Council for approval.

FIRE DEPARTMENT; Darin Jesberg, 209-572-9590, djesberg@modestofire.com

ACTION: (Ricci/Williams; 2/0) Motion recommending a Memorandum of Understanding (MOU) for Service between the City of Ceres, the City of Modesto, the Stanislaus Consolidated Fire Protection District (SCFPD), the City of Turlock, and the Stanislaus County Fire Warden’s Office for Fire Department Training Services and forwarding to the Council for approval.

Consent

2. Consider the Application and Issuance of a Permit to Operate as a Non-Emergency Medical Transport Company to Allstar Ambulance in the City of Modesto and forwarding to Council for approval. (Funding Source: General Fund)
 - Motion recommending the Application and Issuance of a Permit to Operate as a Non-Emergency Medical Transport Company to Allstar Ambulance in the City of Modesto and forwarding to Council for approval.

POLICE DEPARTMENT; Kalani Souza, 209-572-9500, souzak@modestopd.com

ACTION: (Ricci/Williams; 2/0) Motion recommending the Application and Issuance of a Permit to Operate as a Non-Emergency Medical Transport Company to Allstar Ambulance in the City of Modesto and forwarding to Council for approval.

Consent

3. Consider an Amendment to the Blight Abatement Advisory Committee Bylaws and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending an Amendment to the Blight Abatement Committee Bylaws and forwarding to Council for approval.

PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com

ACTION: (Ricci/Williams; 2/0) Motion recommending an Amendment to the Blight Abatement Committee Bylaws and forwarding to Council for approval.

NEW BUSINESS

4. Consider a report on upcoming Parks Planning and Development Division Capital Improvement Program Projects planned for bidding and construction. (Funding Source: Various CIPs)
 - Motion accepting a report on upcoming Parks Planning and Development Division Capital Improvement Program Projects planned for bidding and construction.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Ricci/Williams; 2/0) Motion accepting a report on upcoming Parks Planning and Development Division Capital Improvement Program Projects planned for bidding and construction, except for page 8.

- 5. Consider a Purchasing Agreement with American Traffic Solutions, dba Verra Mobility, Mesa, Arizona, for Automated Red Light Photo Enforcement Technology for a total amount not to exceed \$3,691,891 over five years and forwarding to Council for approval. (Funding Source: Traffic Safety Fund / Citation Revenue)

- Motion recommending a Purchasing Agreement with American Traffic Solutions, dba Verra Mobility Mesa, Arizona, by utilizing the Competitive Bid Process with Houston-Galveston Area Council of Governments (H-GAC), for Automated Red Light Photo Enforcement Technology, for a five-year Agreement for an annual estimated amount of \$703,218 and \$175,804 for contingency, if needed, for an Agreement total amount not to exceed \$3,691,891 over five years; and forwarding to Council for approval.

POLICE DEPARTMENT; T.J. Moffett, 209-572-9886, moffettt@modestopd.com

ACTION: (Ricci/Williams; 2/0) Motion recommending a Purchasing Agreement with American Traffic Solutions, dba Verra Mobility Mesa, Arizona, by utilizing the Competitive Bid Process with Houston-Galveston Area Council of Governments (H-GAC), for Automated Red Light Photo Enforcement Technology, for a five-year Agreement for an annual estimated amount of \$703,218 and \$175,804 for contingency, if needed, for an Agreement total amount not to exceed \$3,691,891 over five years; and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:49 p.m.

Attest: _____
Dana Sanchez, Assistant City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, January 14, 2025 at 5:30 PM

Roll Call – Present: Councilmembers Alvarez, Bavaro, Ricci, Williams, Wright,
Mayor Zwahlen

Absent: Escutia-Braaton

Pledge of Allegiance to the Flag

Invocation: Fr Brian Dawson, St. Paul's Episcopal

City Clerk's Announcements: None

Declaration of Conflicts of Interest: None

MISCELLANEOUS

1. Consider accepting the resignation of Tom Hallinan from the Measure H Oversight Board. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of Tom Hallinan from the Measure H Oversight Board.

BUDGET; Steve Christensen, 209-577-5390, schristensen@modestgov.com

ACTION: (Wright/Williams; 6/0) Resolution 2025-001 accepting the resignation of Tom Hallinan from the Measure H Oversight Board.

2. Consider accepting the resignation of Damon Robbins from the Visit Modesto Board of Directors and appointing Brad Morad to fill the partial unexpired term ending December 31, 2025, followed by a full term from January 1, 2026, to December 31, 2029. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of Damon Robbins from the Visit Modesto Board of Directors and appointing Brad Morad to fill the partial unexpired term ending December 31, 2025, followed by a full term from January 1, 2026, to December 31, 2029.

CED; Sean Rando, 209-577-5473, srando@modestgov.com

ACTION: (Williams/Wright; 6/0) Resolution 2025-002 accepting the resignation of Damon Robbins from the Visit Modesto Board of Directors and appointing Brad Morad to fill the partial unexpired term ending December 31, 2025, followed by a full term from January 1, 2026, to December 31, 2029.

3. Consider accepting the resignation of Matthew Holbrook from the Citizens' Transportation Sales Tax Commission. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of Matthew Holbrook from the Citizens' Transportation Sales Tax Commission.

ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Ricci/Wright; 6/0) Resolution 2025-003 accepting the resignation of Matthew Holbrook from the Citizens' Transportation Sales Tax Commission.

4. Consider accepting the resignation of James McKay from the Airport Advisory Committee. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of James McKay from the Airport Advisory Committee.

PUBLIC WORKS; Marisol Navarro, 209-577-5319, marnavarro@modestogov.com

ACTION: (Williams/Wright; 6/0) Resolution 2025-004 accepting the resignation of James McKay from the Airport Advisory Committee.

5. Consider approving the appointment of Hans Hauselmann to the City of Modesto Planning Commission with a partial term expiring December 31, 2025, appointment of Naramsen Goriel and Michael Arroyo to the City of Modesto Planning Commission with terms ending December 31, 2028, and reappointment of Planning Commissioner Erin Black to the City of Modesto Planning Commission with a term expiring December 31, 2028. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution appointing Hans Hauselmann to the City of Modesto Planning Commission with a partial term expiring December 31, 2025.
- Resolution appointing Naramsen Goriel to the City of Modesto Planning Commission with a term expiring December 31, 2028.
- Resolution appointing Michael Arroyo to the City of Modesto Planning Commission with a term expiring December 31, 2028.
- Resolution reappointing Planning Commissioner Erin Black to the City of Modesto Planning Commission with a term expiring December 31, 2028.

CED; Jessica Hill, 209-577-5267, jhill@modestogov.com

ACTION: (Wright/Bavaro; 6/0) Resolution 2025-005 appointing Hans Hauselmann to the City of Modesto Planning Commission with a partial term expiring December 31, 2025.

ACTION: (Wright/Bavaro; 6/0) Resolution 2025-006 appointing Naramsen Goriel to the City of Modesto Planning Commission with a term expiring December 31, 2028.

ACTION: (Wright/Bavaro; 6/0) Resolution 2025-007 appointing Michael Arroyo to the City of Modesto Planning Commission with a term expiring December 31, 2028.

ACTION: (Wright/Bavaro; 6/0) Resolution 2025-008 reappointing Planning Commissioner Erin Black to the City of Modesto Planning Commission with a term expiring December 31, 2028.

6. Consider approving the reappointment of Mark Niskanen and Minal Desai to the City of Modesto Board of Zoning Adjustment with a term expiring December 31, 2028. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution reappointing Mark Niskanen to the City of Modesto Board of Zoning Adjustment with a second term expiring December 31, 2028.
- Resolution reappointing Minal Desai to the City of Modesto Board of Zoning Adjustment with a second term expiring December 31, 2028.

CED; Jessica Hill, 209-577-5267, jhill@modestogov.com

ACTION: (Zwahlen/Ricci; 6/0) Resolution 2025-009 reappointing Mark Niskanen to the City of Modesto Board of Zoning Adjustment with a second term expiring December 31, 2028.

ACTION: (Zwahlen/Ricci; 6/0) Resolution 2025-010 reappointing Minal Desai to the City of Modesto Board of Zoning Adjustment with a second term expiring December 31, 2028.

7. Consider approving the reappointment of Harrison Power and appointing Brinder Singh to the City of Modesto Landmark Preservation Commission with terms expiring December 31, 2028. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution reappointing Harrison Power to the City of Modesto Landmark Preservation Commission with a second term expiring December 31, 2028.
- Resolution appointing Brinder Singh to the City of Modesto Landmark Preservation Commission with a term expiring December 31, 2028.

CED; Jessica Hill, 209-577-5267, jhill@modestogov.com

ACTION: (Ricci/Alvarez; 6/0) Resolution 2025-011 reappointing Harrison Power to the City of Modesto Landmark Preservation Commission with a second term expiring December 31, 2028.

ACTION: (Ricci/Alvarez; 6/0) Resolution 2025-012 appointing Brinder Singh to the City of Modesto Landmark Preservation Commission with a term expiring December 31, 2028.

8. Consider approving the appointment of Monica Soria to the Disabled Access Appeals Board with a term expiring December 31, 2025, the appointment of Christine Stewart and David Townsend to the Disabled Access Appeals Board with terms expiring December 31, 2026, and the appointment of David Harter, and Terry Moffatt to the Disabled Access Appeals Board with terms expiring December 31, 2028. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointment of Monica Soria to the Disabled Access Appeals Board with a term expiration of December 31, 2025.
- Resolution approving the appointment of Christine Stewart to the Disabled Access Appeals Board with a term expiration of December 31, 2026.
- Resolution approving the appointment of David Townsend to the Disabled Access Appeals Board with a term expiration of December 31, 2026.
- Resolution approving the appointment of David Harter to the Disabled Access Appeals Board with a term expiration of December 31, 2028.
- Resolution approving the appointment of Terry Moffatt to the Disabled Access Appeals Board with a term expiration of December 31, 2028.

CED; Oscar Diaz, 209-571-5885, odiaz@modestogov.com

ACTION: (Williams/Alvarez; 6/0) Resolution 2025-013 approving the appointment of Monica Soria to the Disabled Access Appeals Board with a term expiration of December 31, 2025.

ACTION: (Williams/Alvarez; 6/0) Resolution 2025-014 approving the appointment of Christine Stewart to the Disabled Access Appeals Board with a term expiration of December 31, 2026.

ACTION: (Williams/Alvarez; 6/0) Resolution 2025-015 approving the appointment of David Townsend to the Disabled Access Appeals Board with a term expiration of December 31, 2026.

ACTION: (Williams/Alvarez; 6/0) Resolution 2025-016 approving the appointment of David Harter to the Disabled Access Appeals Board with a term expiration of December 31, 2028.

ACTION: (Williams/Alvarez; 6/0) Resolution 2025-017 approving the appointment of Terry Moffatt to the Disabled Access Appeals Board with a term expiration of December 31, 2028.

9. Consider approving the appointment of Dr. Tony Sillemon, Jennifer Anne (Rally) Aoyama, Ricardo R. Ortiz, Dr. Bianca Agassi, and Elizabeth Buenrostro, to the City of Modesto Entertainment Commission with terms from January 1, 2025, to December 31, 2028. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution appointing Dr. Tony Sillemon, Jennifer Anne (Rally) Aoyama, Ricardo R. Ortiz, Dr. Bianca Agassi, and Elizabeth Buenrostro, to the City of

Modesto Entertainment Commission with terms from January 1, 2025, to December 31, 2028.

CED; Trevin Barber, 209-860-1251, tbarber@modestogov.com

ACTION: (Wright/Zwahlen; 6/0) Resolution 2025-018 appointing Dr. Tony Sillemmon, Jennifer Anne (Rally) Aoyama, Ricardo R. Ortiz, Dr. Bianca Agassi, and Elizabeth Buenrostro, to the City of Modesto Entertainment Commission with terms from January 1, 2025, to December 31, 2028.

10. Consider approving the appointment of Rajmeet Grewal as the Planning Commission Representative to the Board of Zoning Adjustment (BZA) for 2025, with a term expiration of December 31, 2025. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution appointing Rajmeet Grewal to the Board of Zoning Adjustment as a Planning Commission Representative for 2025, with a term expiration of December 31, 2025.

CED; Tristan Osborn, 209-577-5267, tosborn@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-019 appointing Rajmeet Grewal to the Board of Zoning Adjustment as a Planning Commission Representative for 2025, with a term expiration of December 31, 2025.

11. Consider approving the appointment of Cecil Russell as the Planning Commission Representative to the Citizens Housing and Community Development Committee for 2025, with a term expiration of December 31, 2025. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution appointing Cecil Russell to the Citizen’s Housing and Community Development Committee as a Planning Commission Representative for 2025, with a term expiration of December 31, 2025.

CED; Tristan Osborn, 209-577-5267, tosborn@modestogov.com

ACTION: (Wright/Bavaro; 4/2; Alvarez, Ricci Noes) Resolution 2025-020 appointing Cecil Russell to the Citizen’s Housing and Community Development Committee as a Planning Commission Representative for 2025, with a term expiration of December 31, 2025.

12. Consider approving the appointment of Jim Spelman as a Member-At-Large for a four-year term from January 1, 2025, to December 31, 2028, on the City of Modesto Golf Courses Advisory Committee. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution appointing Jim Spelman as a Member-At-Large for a four-year term from January 1, 2025, to December 31, 2028, on the City of Modesto Golf Courses Advisory Committee.

PRN; Jessica Franco, 209-577-5278, jefranco@modestogov.com

ACTION: (Alvarez/Williams; 6/0) Resolution 2025-021 appointing Jim Spelman as a Member-At-Large for a four-year term from January 1, 2025, to December 31, 2028, on the City of Modesto Golf Courses Advisory Committee.

PUBLIC COMMENT IN PERSON

- Danielle Morgart, from Assemblyman Juan Alanis's office, shared a legislative update. Assemblyman Alanis introduced AB 16, requiring early counting of election ballots, and AB 17, mandating public access to precinct maps. He coauthored AB 38, proposing to make the rape of developmentally disabled individuals a felony. Assemblyman Alanis was also appointed Vice Chair of the Public Safety and AG Committees.
- Samuei Tavake raised concerns about a local individual who has not registered as a sex offender as required by AB 218. He also requested authorities investigate the circumstances of this individual's mother's death, which he believes may involve foul play. He plans to escalate the issues to the District Attorney if no action is taken.
- Kevin McClarty addressed the feasibility of airline service at the Modesto airport. He highlighted several aircraft models, such as the ERJ 135, ATR 42, and Airbus 2200-100, capable of operating within the airport's existing 5,500-ft runway. McClarty emphasized that Modesto could attract airlines using these aircraft without requiring airfield expansion or significant expenditures.
- Michael Arroyo expressed gratitude for his appointment to Modesto's Planning Commission, emphasizing the personal significance of serving his lifelong community. He pledged to fulfill his responsibilities to the best of his ability and looks forward to collaborating with city staff and officials.
- A community member recognized Rebecca Harrington, who recently passed away, for her contributions to the lowrider community and efforts to celebrate Hispanic culture and heritage. She was acknowledged for her helpfulness and support during efforts to lift the lowrider ban in Modesto.
- David Thompson, a Modesto resident for 33 years, shared his gratitude for his appointment to the Disabilities Board. He expressed his intention to learn, participate, and be a valuable asset in his new role.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: (13-25; Wright/Ricci; 6/0)

CONSENT

Consent

13. Consider approving the minutes for the December 10, 2024 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the December 10, 2024 Council Meeting.

CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Ricci; 6/0) Motion approving the minutes for the December 10, 2024 Council Meeting.

Consent

14. Consider approving acceptance of applications for the future development of Comprehensive Planning Districts referred to as Kiernan Business Park, Kiernan/McHenry, Kiernan/Carver Corridor, College West, Hetch-Hetchy Comprehensive Planning District Regional Commercial, and Hetch-Hetchy Comprehensive Planning District Village Residential. (Funding Source: Not Applicable)
- Resolution approving acceptance of applications for the future development of Comprehensive Planning Districts referred to as Kiernan Business Park, Kiernan/McHenry, Kiernan/Carver Corridor, College West, Hetch-Hetchy Comprehensive Planning District Regional Commercial, and Hetch-Hetchy Comprehensive Planning District Village Residential.

CED; Sean Rando, 209-577-5473, srando@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-022 approving acceptance of applications for the future development of Comprehensive Planning Districts referred to as Kiernan Business Park, Kiernan/McHenry, Kiernan/Carver Corridor, College West, Hetch-Hetchy Comprehensive Planning District Regional Commercial, and Hetch-Hetchy Comprehensive Planning District Village Residential.

Consent

15. Consider approving the amended Bylaws for the Citizen Housing and Community Development Committee and the Housing Rehabilitation Loan Committee. (Funding Source: Not Applicable)
- Resolution approving the amended Bylaws for the Citizen Housing and Community Development Committee.
 - Resolution approving the amended Bylaws for the Housing Rehabilitation Loan Committee.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-023 approving the amended Bylaws for the Citizen Housing and Community Development Committee.

ACTION: (Wright/Ricci; 6/0) Resolution 2025-024 approving the amended Bylaws for the Housing Rehabilitation Loan Committee.

Consent

16. Consider accepting the Monthly Investment Report for October 2024. (Funding Source: Various Funds)
- Motion accepting the Monthly Investment Report for October 2024.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Wright/Ricci; 6/0) Motion accepting the Monthly Investment Report for October 2024.

Consent

17. Consider approving an Agreement with the State of California, Office of Emergency Services to temporarily house and maintain a Type 6 Fire Engine and its associated equipment (Funding Source: General Fund)
- Resolution approving an Agreement with the State of California, Office of Emergency Services to temporarily house and maintain a Type 6 Fire Engine and its associated equipment, and authorizing the City Manager, or his designee, to execute the Agreement.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-025 approving an Agreement with the State of California, Office of Emergency Services to temporarily house and maintain a Type 6 Fire Engine and its associated equipment, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

18. Consider approving an Agreement with Employers Choice Screening (ECS), Santa Fe Springs, CA to conduct Pre-Employment Background Checks for an amount not to exceed \$125,000 over five years. (Funding Source: Various Funds)
- Resolution approving an Agreement with Employers Choice Screening (ECS), Santa Fe Springs, CA to conduct Pre-Employment Background Checks for a three-year Agreement with two one-year extension options, for an estimated annual amount of \$25,000 and total amount not to exceed \$125,000 over five years and authorizing the City Manager or his designee to execute this Agreement.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-026 approving an Agreement with Employers Choice Screening (ECS), Santa Fe Springs, CA to conduct Pre-Employment Background Checks for a three-year Agreement with two one-year extension options, for an estimated annual amount of \$25,000 and total amount not to exceed \$125,000 over five years and authorizing the City Manager or his designee to execute this Agreement.

Consent

19. Consider approving an Agreement with Alliant Insurance Services Inc., Irvine CA as broker of record for Employee Benefit Plans for an amount not to exceed \$490,000 over five years. (Funding Source: Various Funds)

- Resolution approving a Sole Source Agreement with Alliant Insurance Services, Inc., Irvine CA as the broker of record for Employee Benefit Plans for a three-year Agreement with two one-year extension options, for an annual estimated amount of \$98,000, and a total amount not to exceed \$490,000 over five years and authorizing the City Manager or his designee to execute this Agreement.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-027 approving a Sole Source Agreement with Alliant Insurance Services, Inc., Irvine CA as the broker of record for Employee Benefit Plans for a three-year Agreement with two one-year extension options, for an annual estimated amount of \$98,000, and a total amount not to exceed \$490,000 over five years and authorizing the City Manager or his designee to execute this Agreement.

Consent

20. Consider approving an Agreement with University of Massachusetts (UMass) Global for an Employee Leadership Development Program in a total amount not to exceed \$295,000 over five years. (Funding Source: Various Sources)

- Resolution approving an Agreement with UMass Global for an Employee Leadership Developmental Program for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$59,000 and a total amount not to exceed \$295,000 over five years and authorizing the City Manager or his designee to execute this Agreement.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-028 approving an Agreement with UMass Global for an Employee Leadership Developmental Program for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$59,000 and a total amount not to exceed \$295,000 over five years and authorizing the City Manager or his designee to execute this Agreement.

Consent

21. Consider approving a Lease Agreement with William Brent Burnside, dba Burnside Management Team, Modesto, CA, for use of Fenced Parking Lot for a total amount not to exceed \$188,016 over four years. (Funding Source: General Fund)

- Resolution approving the Lease Agreement with William Brent Burnside, dba Burnside Management Team, Modesto, CA, for use of Fenced Parking Lot for a four-year Agreement, for an annual estimated amount of \$47,004, and a total amount not to exceed \$188,016 over four years; and authorizing the City Manager, or his designee, to execute the Agreement.

POLICE DEPARTMENT; Jessica Smart, 209-572-9500, smartj@modestopd.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-029 approving the Lease Agreement with William Brent Burnside, dba Burnside Management Team, Modesto, CA, for use of Fenced Parking Lot for a four-year Agreement, for an annual estimated amount of

\$47,004, and a total amount not to exceed \$188,016 over four years; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

22. Consider an Ordinance amending Municipal Code Section 3-2.1401.1 to determine and designate speed limit changes. (Funding Source: Police Department Fund 1600)
- Motion introducing and waiving the first reading of an Ordinance amending Section 3-2.1401.1 of Article 14 of Chapter 2 of Title 3 of the Modesto Municipal Code relating to speed limits.
- PUBLIC WORKS; Max Navarro, 209-571-5116, manavarro@modestogov.com*

ACTION: (Wright/Ricci; 6/0) Motion introducing and waiving the first reading of an Ordinance amending Section 3-2.1401.1 of Article 14 of Chapter 2 of Title 3 of the Modesto Municipal Code relating to speed limits.

Consent

23. Consider approving a Grant of Permanent Easement to Modesto Irrigation District associated with existing irrigation facilities within a 5-foot-wide uniform strip of APN 084-002-046, and consenting to the recordation thereof. (Funding Source: Water Fund)
- Resolution approving a Grant of Permanent Easement to Modesto Irrigation District to cover existing irrigation facilities within a 5-foot-wide uniform strip of APN 084-002-046 and consenting to the recordation thereof.
- UTILITIES; Edgar Vargas, 209-577-5424, evargas@modestogov.com*

ACTION: (Wright/Ricci; 6/0) Resolution 2025-030 approving a Grant of Permanent Easement to Modesto Irrigation District to cover existing irrigation facilities within a 5-foot-wide uniform strip of APN 084-002-046 and consenting to the recordation thereof.

Consent

24. Consider approving a Final Initial Study/Mitigated Negative Declaration for the Municipal Groundwater Improvement Project in accordance with the California Environmental Quality Act. (Funding Source: Water Fund)
- Resolution approving a Final Initial Study/Mitigated Negative Declaration for the Municipal Groundwater Improvement Project in accordance with the California Environmental Quality Act.
- UTILITIES; Jim Alves, 209-571-5557, jalves@modestogov.com*

ACTION: (Wright/Ricci; 6/0) Resolution 2025-031 approving a Final Initial Study/Mitigated Negative Declaration for the Municipal Groundwater Improvement Project in accordance with the California Environmental Quality Act.

Consent

25. Consider approving the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency 2025 Memorandum of Understanding

for undertaking groundwater sustainability planning, reporting, studies, mutual aid and support services within the Modesto Sub-basin. (Funding Source: Water Fund)

- Resolution approving the 2025 Memorandum of Understanding with the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency for undertaking groundwater sustainability planning, reporting, studies, mutual aid and support services within the Modesto Sub-basin and authorizing the City Manager, or his designee, to execute the Memorandum of Understanding.
- Resolution approving an Amendment to the Fiscal Year 2024-25 Operating Budget in the amount of \$150,000 from Water Fund Reserves to fund the City of Modesto's share of the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency's activities within the Modesto Sub-basin.

UTILITIES; Tim Barahona, 209-577-5485, tbarahona@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-032 approving the 2025 Memorandum of Understanding with the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency for undertaking groundwater sustainability planning, reporting, studies, mutual aid and support services within the Modesto Sub-basin and authorizing the City Manager, or his designee, to execute the Memorandum of Understanding.

ACTION: (Wright/Ricci; 6/0) Resolution 2025-033 approving an Amendment to the Fiscal Year 2024-25 Operating Budget in the amount of \$150,000 from Water Fund Reserves to fund the City of Modesto's share of the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency's activities within the Modesto Sub-basin.

COUNCIL COMMENTS & REPORTS

Councilmember Williams acknowledged the New Year and expressed hope for a prosperous 2025. He mentioned Modesto's support for Los Angeles fire victims and the deployment of local firefighters to assist. He also highlighted the recognition of various individuals: former Mayor Garrett Marsh as Veteran of the Year, Cristina from the Modesto Police Department as Hero of the Year, Lou Friedman as Citizen of the Year, and Curtis for the Legionnaire Award. Lastly, Williams paid tribute to Rebecca Harrington for her contributions to the community.

Councilmember Wright thanked the Church of the Brethren for remodeling its facilities and opening 17 units to assist unhoused families in transitioning back to society and work. He acknowledged their significant contributions to the community and expressed appreciation for their efforts.

Councilmember Ricci acknowledged the Modesto Fire Department's efforts in providing mutual aid for the Los Angeles fires and commended Chief Wise for facilitating this support. He also suggested exploring new sports teams and activities following the

Modesto Nuts' departure in 2025 to enhance the city's culture. Lastly, he praised the Modesto Police Department for their work in improving traffic safety and encouraged continued enforcement to reduce accidents and injuries.

Mayor Zwahlen shared her positive experiences meeting with Girl Scouts, touring Howard Prep, and praising the Parks and Recreation Department. She mentioned feedback from a community member about the busy parks, new equipment, and clean restrooms, highlighting the department's successful efforts in maintaining park facilities.

CITY MANAGER COMMENTS & REPORTS

None.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:13 p.m.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES

City of Modesto

SPECIAL CITY COUNCIL MEETING City Council Workshop Regarding Goals and Budget Priorities for Upcoming Budget

**Arbor Room, Modesto Centre Plaza,
1001 K Street
Modesto, California**

Wednesday, January 15, 2025 at 9:00 AM

Roll Call – Present: Councilmembers Alvarez (arrived at 10:56 A.M.), Bavaro, Ricci, Williams, Wright, Mayor Zwahlen

Absent: Councilmember Escutia-Braaton

PUBLIC COMMENT IN PERSON

- Juan Telles, a resident of West Modesto, advocates for Modesto to become a zero-waste city and supports the integration of crypto and blockchain. He also emphasizes the need for city documents to be translated into Spanish for better accessibility. Additionally, he calls for more investment in bike paths to encourage outdoor activity and funding for the Tuolumne River’s development.

NEW BUSINESS

Lunch Recess 11:00 A.M. Resumed 11:30 A.M.

Recessed 12:31 P.M. Resumed 12:40 P.M.

1. City Council Workshop Regarding Goals and Budget Priorities for Upcoming Budget. (Funding Source: Not Applicable)

Staff Recommendation:

- City Council Workshop Regarding Goals and Budget Priorities for Upcoming Budget.

CITY COUNCIL; Sue Zwahlen, 209-571-5597, szwahlen@modestogov.com

ACTION: No reportable action.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 1:37 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
SPECIAL AUDIT COMMITTEE
COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, January 21, 2025 at 4:00 PM

Roll Call: Present: Sue Zwahlen, Chair, David Wright, Vice-Chair, Chris Ricci, Member, Camille Garcia, Public Member

Absent: Jennifer Barillas, Public Member (resigned)

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

NEW BUSINESS

1. Consider the Audited Financial Statements and various Audit Reports for Fiscal Year 2023-2024, audited by external auditors Vasquez + Company, LLP. for the City's Annual Comprehensive Financial Report (ACFR), thirteen Community Facilities Districts (CFDs), Single Audit, Measure H, and various Joint Powers Agencies and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the Audited Financial Statements and various Audit Reports for Fiscal Year 2023-2024 audited by external auditors Vasquez + Company, LLP. for the City's Annual Comprehensive Financial Report (ACFR), thirteen Community Facilities Districts (CFDs), Measure H, and various Joint Powers Agencies (JPAs) and forwarding to Council for approval.
 - Motion recommending the audited Fiscal Year 2023-2024 Federal Single Audit report for the City of Modesto and forwarding to Council for approval.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Wright/ Ricci; 4/0) Motion recommending the Audited Financial Statements and various Audit Reports for Fiscal Year 2023-2024 audited by external auditors Vasquez + Company, LLP. for the City's Annual Comprehensive Financial Report (ACFR), thirteen Community Facilities Districts (CFDs), Measure H, and various Joint Powers Agencies (JPAs) and forwarding to Council for approval.

ACTION: (Wright/Ricci; 4/0) Motion recommending the audited Fiscal Year 2023-2024 Federal Single Audit report for the City of Modesto and forwarding to Council for approval.

2. Consider the Fiscal Year Internal Audit Status Report dated 1-14-25. (Funding Source: Not Applicable)
- Motion to receive and file the Internal Audit Status Report dated 1-14-25.
CITY AUDITOR; Colleen Rozillis, 206-302-6795, colleen.rozillis@mossadams.com

ACTION: (Garcia/Wright; 4/0) Motion to receive and file the Internal Audit Status Report dated 1-14-25.

3. Consider the Audit Finding Validation Report dated 1-14-25. (Funding Source: Not Applicable)
- Motion to receive and file the Audit Finding Validation report dated 1-14-25.
CITY AUDITOR; Colleen Rozillis, 206-302-6795, colleen.rozillis@mossadams.com

ACTION: (Wright/Garcia; 4/0) Motion to receive and file the Audit Finding Validation report dated 1-14-25.

ADJOURNMENT

This meeting adjourned at 4:46 p.m.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
ECONOMIC DEVELOPMENT COMMITTEE
COUNCIL WORKSHOP
2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Wednesday, January 22, 2025 at 4:00 PM

Roll Call: Present: Vice-Chair Zwahlen, Committee Member Bavaro, Alternate Member Wright

Absent: Chair Alvarez

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1 (Wright/Bavaro; 3/0)

CONSENT

Consent

1. Consider an Agreement with Carollo Engineers, Inc., Sacramento CA for Standard Operating Procedures Development Services for a total amount not to exceed \$801,220 and forwarding to Council for approval. (Funding Source: Sewer Operations Funds)
 - Motion recommending an Agreement with Carollo Engineers, Inc., Sacramento, CA for Standard Operating Procedures Development in the amount of \$728,382, plus \$72,838, if needed, for an Agreement total amount not to exceed \$801,220; and forwarding to Council for approval.
 - Motion recommending an increase to Non-Capital Project Number 101474 of \$401,220, from \$400,000, for a revised total amount not to exceed \$801,220, and forwarding to Council for approval.

UTILITIES; Jeff Daniels, 209-577-6255, jdaniels@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending an Agreement with Carollo Engineers, Inc., Sacramento, CA for Standard Operating Procedures Development in the

amount of \$728,382, plus \$72,838, if needed, for an Agreement total amount not to exceed \$801,220; and forwarding to Council for approval.

ACTION: (Wright/Bavaro; 3/0) Motion recommending an increase to Non-Capital Project Number 101474 of \$401,220, from \$400,000, for a revised total amount not to exceed \$801,220, and forwarding to Council for approval.

NEW BUSINESS

Committee Vice-Chair Zwahlen recused due to conflict of interest

2. Consider the Plans and Specifications for the Scenic Drive Phase II, Dry Creek Trail Phase II, Kansas Avenue, & Neighborhood Traffic Calming Program Cycle I Project, accepting the Bid and Awarding a Contract to Bay Cities Paving & Grading, Inc., of Concord, CA, for a total amount not to exceed \$13,551,894; and approving an Agreement with TRC Engineers, Inc., of Lathrop, CA for Construction Management Services, Inspection and Materials Testing Services for a total amount not to exceed \$957,577 and forwarding to Council for approval. (Funding Source: Local Measure L Funds)

- Motion recommending the Plans and Specifications for the Scenic Drive Phase II, Dry Creek Trail Phase II, Kansas Avenue, & Neighborhood Traffic Calming Program Cycle I Project, accepting the Bid and Awarding a contract to Bay Cities Paving & Grading, Inc., of Concord, CA, in the amount of \$12,319,904, and authorizing Change Orders up to the cumulative amount of \$1,231,990, for a total Agreement amount not to exceed \$13,551,894; and recommending an Agreement with TRC Engineers, Inc., of Lathrop, CA for Construction Management and Inspection Services for the Scenic Drive Phase II, Dry Creek Trail Phase II, Kansas Avenue, & Neighborhood Traffic Calming Program Cycle I Project in an amount not to exceed \$870,525, plus \$87,052 for additional services, if needed, for a total amount not to exceed \$957,577 and forwarding to Council for approval.

*ENGINEERING SERVICES; Michael Sacuskie, 209-571-5552,
msacuskie@modestogov.com*

ACTION: (Wright/Bavaro; 2/0; Zwahlen recused) Motion recommending the Plans and Specifications for the Scenic Drive Phase II, Dry Creek Trail Phase II, Kansas Avenue, & Neighborhood Traffic Calming Program Cycle I Project, accepting the Bid and Awarding a contract to Bay Cities Paving & Grading, Inc., of Concord, CA, in the amount of \$12,319,904, and authorizing Change Orders up to the cumulative amount of \$1,231,990, for a total Agreement amount not to exceed \$13,551,894; and recommending an Agreement with TRC Engineers, Inc., of Lathrop, CA for Construction Management and Inspection Services for the Scenic Drive Phase II, Dry Creek Trail Phase II, Kansas Avenue, & Neighborhood Traffic Calming Program Cycle I Project in an amount not to exceed \$870,525, plus \$87,052 for additional services, if needed, for a total amount not to exceed \$957,577 and forwarding to Council for approval.

3. Consider a report on the upcoming Coffee Road Strengthen & Replace Water Mains Construction Project and forwarding to Council for approval. (Funding Source: Water Fund)
 - Motion accepting a report on the upcoming Coffee Road Strengthen & Replace Water Mains Construction Project and forwarding to Council for approval.
UTILITIES; Edgar Vargas, 209-577-5424, evargas@modestgov.com

ACTION: (Wright/Bavaro; 3/0) Motion accepting a report on the upcoming Coffee Road Strengthen & Replace Water Mains Construction Project and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:26 P.M.

Attest: _____
Reyna Mendoza, Deputy City Clerk

MINUTES
City of Modesto
FINANCE COMMITTEE / COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, January 27, 2025 at 4:00 PM

Roll Call: Present: Committee Member Bavaro, Vice-Chair Wright, and Chair Escutia-Braaton
Absent: None

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-6 (Wright/Bavaro; 3/0)

CONSENT

Consent

1. Consider the recommended budget adjustments to Fiscal Year 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the budget adjustments to 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.

BUDGET; Steve Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the budget adjustments to 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.

Consent

2. Consider the submission of the City’s Local Transportation Funds Fiscal Year 2023-24 and 2024-25 Claim for Non-Motorized and Other Purposes (bike lanes and pedestrian pathways) in the amount of \$487,911, to the Stanislaus Council of Governments (StanCOG) and forwarding to Council for approval. (Funding Source: Local Transportation Funds)

- Motion recommending the submission of the City’s Local Transportation Funds Fiscal Year 2023-2024 and 2024-25 Claim for Non-Motorized and Other Purposes (bike lanes and pedestrian pathways) in the amount of \$487,911 to the Stanislaus Council of Governments (StanCOG), and forwarding to Council for approval.
- Motion recommending amending the Fiscal Year 2024-2025 Capital Improvement Program Budget to fund project 100813 – Virginia Corridor Phase VII in an amount not to exceed \$645,521 and forwarding to Council for approval.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the submission of the City’s Local Transportation Funds Fiscal Year 2023-2024 and 2024-25 Claim for Non-Motorized and Other Purposes (bike lanes and pedestrian pathways) in the amount of \$487,911 to the Stanislaus Council of Governments (StanCOG), and forwarding to Council for approval.

ACTION: (Wright/Bavaro; 3/0) Motion recommending amending the Fiscal Year 2024-2025 Capital Improvement Program Budget to fund project 100813 – Virginia Corridor Phase VII in an amount not to exceed \$645,521 and forwarding to Council for approval.

Consent

3. Consider the Purchasing Agreements for the purchase of Transit Motor Parts with Gillig (LLC) Limited Liability Company, Hayward, CA, and Fleet Motor Parts and Services with Municipal Maintenance Equipment (MME), Sacramento, CA for a total amount not to exceed \$3,575,000 over five years and forwarding to Council for approval. (Funding Source: Fleet Fund and Stanislaus Regional Transit Authority)
 - Motion recommending the Purchasing Agreement for the purchase of Transit Motor Parts with Gillig LLC, Hayward, CA, for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$385,000 and a total amount not to exceed \$1,925,000 over five years; and forwarding to Council for approval.
 - Motion recommending the Purchasing Agreement for the purchase of repair services with Municipal Maintenance Equipment, Sacramento, CA for a two-year Agreement with three one-year extension options, for an annual combined estimated amount of \$330,000 and a total amount not to exceed \$1,650,000 over five years; and forwarding to Council for approval.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Purchasing Agreement for the purchase of Transit Motor Parts with Gillig LLC, Hayward, CA, for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$385,000 and a total amount not to exceed \$1,925,000 over five years; and forwarding to Council for approval.

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Purchasing Agreement for the purchase of repair services with Municipal Maintenance Equipment, Sacramento, CA for a two-year Agreement with three one-year extension options, for an annual combined estimated amount of \$330,000 and a total amount not to exceed \$1,650,000 over five years; and forwarding to Council for approval.

Consent

4. Consider the First Amendment with Neil Sullivan LLC, Concord, California for Executive Team and Management Engagement Services increasing the Agreement amount to \$200,000 and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the First Amendment with Neil Sullivan LLC, Concord, California for Executive Team and Management Engagement Services increasing the Agreement amount by \$50,000 to a new total amount of \$200,000 through the term of the Agreement and forwarding to Council for approval.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the First Amendment with Neil Sullivan LLC, Concord, California for Executive Team and Management Engagement Services increasing the Agreement amount by \$50,000 to a new total amount of \$200,000 through the term of the Agreement and forwarding to Council for approval.

Consent

5. Consider the Agreements with Bolt Staffing Service, Inc., Stockton, CA and Tryfacta, Inc., Stockton, CA for the furnishing of Temporary Staffing Services, for a total amount not to exceed \$2,596,340 over five years and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the Agreements for the furnishing of Temporary Staffing Services with Bolt Staffing Service, Inc., Stockton, CA in the amount of \$1,557,805 and Tryfacta, Inc., Stockton, CA in the amount of \$1,038,535, for a two-year agreement with three one-year extension options, and a total combined amount not to exceed \$2,596,341 over five years and forwarding to Council for approval.

HUMAN RESOURCES; Dawn Kelley, 209-577-5490, dkelley@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Agreements for the furnishing of Temporary Staffing Services with Bolt Staffing Service, Inc., Stockton, CA in the amount of \$1,557,805 and Tryfacta, Inc., Stockton, CA in the amount of \$1,038,535, for a two-year agreement with three one-year extension options, and a total combined amount not to exceed \$2,596,341 over five years and forwarding to Council for approval.

Consent

6. Consider the First Amendment with Audeamus DBA Sebastian, Fresno, CA, for the Building Intrusion Alarm Services, increasing the Agreement for a total amount not to

exceed \$206,694 over five years and forwarding to Council for approval. (Funding Source: Building Maintenance Fund)

- Motion recommending the First Amendment with Audeamus DBA Sebastian, for the Building Intrusion Alarm Services, increasing the Agreement amount by \$122,696 for a new total amount not to exceed \$206,694 and forwarding to Council for approval.

PUBLIC WORKS; Gabe DaSilva, 209-342-2281, gdasilva@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the First Amendment with Audeamus DBA Sebastian, for the Building Intrusion Alarm Services, increasing the Agreement amount by \$122,696 for a new total amount not to exceed \$206,694 and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:03 p.m.

Attest: _____
Andrea Cook, Deputy City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, January 28, 2025 at 5:30 PM

Special City Council - Closed Session Meeting 4 p.m.:

Roll Call – Present: Councilmembers Alvarez (Arrived 4:10 P.M.), Bavaro, Escutia-Braaton,
*Ricci, Williams, Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting, 5:30 p.m.:

Roll Call – Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, *Ricci, Williams,
Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: None

City Clerk’s Announcements: The Hearing about red light cameras was scheduled for this evening but will not take place. It will be rescheduled for a future City Council meeting.

Declaration of Conflicts of Interest: None

Reports from Closed Session meeting: No reportable action.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring February as National Black History Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented proclamation declaring February as National Black History Month.

2. Proclamation declaring February as National Cancer Prevention Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented proclamation declaring February as National Cancer Prevention Month.

MISCELLANEOUS

3. Consider accepting the resignation of Kyle Ford from the Housing Rehabilitation Loan Committee. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of Kyle Ford from the Housing Rehabilitation Loan Committee.

CED; Edgar Garcia, 209-571-5101, edgarcia@modestogov.com

ACTION: (Williams/Wright; 7/0) Resolution 2025-034 accepting the resignation of Kyle Ford from the Housing Rehabilitation Loan Committee.

4. Consider approving the appointment of David Harris and Larry Sanders to the City of Modesto Citizens' Housing and Community Development Committee with terms expiring December 31, 2028. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointment of David Harris and Larry Sanders to the City of Modesto Citizens' Housing and Community Development Committee with terms expiring December 31, 2028.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Escutia-Braaton/Williams; 7/0) Resolution 2025-035 approving the appointment of David Harris and Larry Sanders to the City of Modesto Citizens' Housing and Community Development Committee with terms expiring December 31, 2028.

5. Consider approving the appointment of Margie Johnson as the Citizen's Housing and Community Development Committee (CH&CDC) Representative to the Housing Rehabilitation Loan Committee (HRLC), with a term expiration of December 31, 2025. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointment of Margie Johnson to the Housing Rehabilitation Loan Committee as a Citizen's Housing and Community Development (CH&CDC) Representative for 2025, with a term expiration of December 31, 2025.

CED; Edgar Garcia, 209-571-5101, edgarcia@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-036 approving the appointment of Margie Johnson to the Housing Rehabilitation Loan Committee as a Citizen's Housing and Community Development (CH&CDC) Representative for 2025, with a term expiration of December 31, 2025.

6. Consider approving the appointment of Emmanuel Becerra and Jim Bishop as City of Modesto Representatives to the Tuolumne River Regional Park Citizens Advisory Committee (TRRP CAC) through December 31, 2028. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointment of Emmanuel Becerra and Jim Bishop as City of Modesto Representatives to the Tuolumne River Regional Park Citizens Advisory Committee (TRRP CAC) through December 31, 2028.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Williams/Alvarez; 7/0) Resolution 2025-037 approving the appointment of Emmanuel Becerra and Jim Bishop as City of Modesto Representatives to the Tuolumne River Regional Park Citizens Advisory Committee (TRRP CAC) through December 31, 2028.

PUBLIC COMMENT IN PERSON

- Nancy Robinson, president of the Modesto Garden Club, announced two events: Arbor Day on March 7th at 10:00 AM at Enslin Park, featuring a valley oak tree planting, and the Spring Garden Tour on April 12th, which funds \$9,000 in scholarships for horticulture students.
- Rhonda Allen praised the Modesto Garden Club for planting a native valley oak tree, highlighting its environmental and health benefits. She emphasized the need for more native trees to support wildlife and air quality. As part of an urban tree committee, she advocates for ecologically friendly tree planting and urged the Council to support these efforts.
- Dean Richardson, a Modesto resident and member of Urban Forest Modesto, voiced support for the Modesto Garden Club's Arbor Day celebration on March 7th. He praised Measure H for revitalizing the City's Forestry Department and encouraged the Council to attend the event. He highlighted the long-term benefits of tree planting, reminding everyone that today's efforts will provide much-needed shade in the future.
- Diane Kroeze criticized the City Council for ignoring homelessness and urged them to create small, safe sleeping zones with basic amenities. She condemned law enforcement's treatment of the homeless and expressed concerns over immigration enforcement and recent Presidential pardons. She called for humane action and prioritization of people over ideology.
- Steve Horne raised concerns about Modesto's outdated regulations for non-emergency medical transportation, which are not compliant with California law. He suggested discussing the issue with the City Attorney or adding it to a future agenda, as the current rules hinder transportation providers and limit access to services for Medi-Cal beneficiaries. He noted that he could not operate in Modesto due to these regulations.
- Carole Dovichi, president of the McHenry Mansion Foundation, expressed concern over the McHenry Museum Historical Society's financial practices. She revealed that the Educational Director is paid \$68,000 but has not organized a fundraiser in three years. After questioning the use of \$300,000 in funds, Carole and others were denied board

membership and asked to stop attending meetings. She highlighted her commitment to the McHenry Mansion, which she believes operates well as a nonprofit.

- Sandy Nerland, a McHenry Museum docent, revealed that the museum has not renewed its nonprofit registration for over four years, meaning it is not legally operating as a nonprofit. She stated that funds raised by the society have not gone to the museum but were used for a children's book. She urged the Council to address these issues before allowing the society to continue operating.
- Margie Neder agreed with the comments from Carole Dovichi and Sandy Nerland.
- Kevin McClarty praised the City's new remote participation format and corrected the myth that Modesto was a desert, explaining it was once a riparian woodland. He emphasized the importance of protecting California's water, especially in light of President Trump's directive on water release, and urged the City to safeguard its water resources, given the region's role in agriculture.
- Jerry Thompson shared that at a meeting about the former county courthouse development, the community wanted upscale apartments, shops like a wine-tasting room, and a grocery store with local produce. They also suggested outdoor activities like a roller-skating rink for families. He praised the City's Street program, noting homeless individuals help keep the streets clean and emphasized educating the public about this.
- Amanda Buehler raised concerns about student safety at Orchard Elementary, where drivers frequently ignore crosswalks. Despite contacting the Principal, Modesto PD, and the Engineering Department, no action has been taken. She requested the City Council address the lack of safety signs and flashing signals at the school, noting that other schools have received improvements.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 7-14, 16-18 (Wright/Escutia-Braaton; 7/0)

CONSENT

Consent

7. Consider approving the minutes for the January 14, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the January 14, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Motion approving the minutes for the January 14, 2025 Council Meeting.

Consent

8. Consider approving Final Adoption of Ordinance 3789-C.S. Amending Section 3-2.1401.1 of Article 14 of Chapter 2 of title 3 of the Modesto Municipal Code relating to Speed Limits. (Funding Source: Not Applicable)
- Motion approving Final Adoption of Ordinance 3789-C.S. Amending Section 3-2.1401.1 of Article 14 of Chapter 2 of title 3 of the Modesto Municipal Code relating to Speed Limits.
- CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com*

ACTION: (Wright/Escutia-Braaton; 7/0) Motion approving Final Adoption of Ordinance 3789-C.S. Amending Section 3-2.1401.1 of Article 14 of Chapter 2 of title 3 of the Modesto Municipal Code relating to Speed Limits.

Consent

9. Consider approving the First Amendment for the Consultant Services Agreement with De Novo Planning Group for Specific Plan Services increasing the Agreement amount by \$400,000. (Funding Source: Developer Fees)
- Resolution approving the First Amendment increasing the Consultant Services Agreement amount with De Novo Planning Group for Specific Plan Services by \$400,000 from \$500,000 to a new total amount of \$900,000; and authorizing the City Manager or his designee to execute the Amendment.
- CED; Leslie Danhoff, 209-577-5211, ldanhoff@modestogov.com*

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-038 approving the First Amendment increasing the Consultant Services Agreement amount with De Novo Planning Group for Specific Plan Services by \$400,000 from \$500,000 to a new total amount of \$900,000; and authorizing the City Manager or his designee to execute the Amendment.

Consent

10. Consider approving the Second Amendment for the Consultant Services Agreement with De Novo Planning Group for Environmental Planning Services increasing the Agreement amount by \$1,200,000. (Funding Source: Developer Fees)
- Resolution approving the Second Amendment increasing the Consultant Services Agreement amount with De Novo Planning Group for Environmental Planning Services by \$1,200,000 from \$900,000 to a new total amount of \$2,100,000; and authorizing the City Manager or his designee to execute the Amendment.
- CED; Leslie Danhoff, 209-577-5211, ldanhoff@modestogov.com*

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-039 approving the Second Amendment increasing the Consultant Services Agreement amount with De Novo Planning Group for Environmental Planning Services by \$1,200,000 from \$900,000 to a new total amount of \$2,100,000; and authorizing the City Manager or his designee to execute the Amendment.

Consent

11. Consider approving a First Amendment to the Agreement with Stanislaus County Affordable Housing Corporation, Modesto, California for Master Development Services for Bridge Housing Projects increasing the Agreement amount by \$625,000 to a new total amount of \$700,000. (Funding Source: Measure H Funds)
- Resolution approving a First Amendment to the Agreement with Stanislaus County Affordable Housing Corporation (StanCo), Modesto, CA for Master Development Services of Bridge Housing Projects increasing the Agreement amount by \$625,000 to a new total amount of \$700,000 and authorizing the City Manager, or his designee, to execute the required amendment, and rescinding Resolution No. 2024-338.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-040 approving a First Amendment to the Agreement with Stanislaus County Affordable Housing Corporation (StanCo), Modesto, CA for Master Development Services of Bridge Housing Projects increasing the Agreement amount by \$625,000 to a new total amount of \$700,000 and authorizing the City Manager, or his designee, to execute the required amendment, and rescinding Resolution No. 2024-338.

Consent

12. Consider approving a Resolution of Intention to form City of Modesto Community Facilities District (CFD) No. 2025-1 (Kiernan Business Park South #2) and replacing City of Modesto Community Facilities District No. 2012-1 (Kiernan Business Park South). (Funding Source: Developer Deposits)
- Resolution of Intention of the City Council of the City of Modesto, California, to establish City of Modesto Community Facilities District No. 2025-1 (Kiernan Business Park South #2) replacing CFD No. 2012-1, and to authorize the levy of special taxes within said Community Facilities District.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution of Intention 2025-041 of the City Council of the City of Modesto, California, to establish City of Modesto Community Facilities District No. 2025-1 (Kiernan Business Park South #2) replacing CFD No. 2012-1, and to authorize the levy of special taxes within said Community Facilities District.

Consent

13. Consider accepting the Monthly Investment Report for November 2024. (Funding Source: Various Funds)
- Motion accepting the Monthly Investment Report for November 2024.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Motion accepting the Monthly Investment Report for November 2024.

Consent

14. Consider accepting an Informational Report for the November 2024 Accounts Payable Payment Register and Void Report. (Funding Source: Not Applicable)

- Motion accepting an Informational Report for the November 2024 Accounts Payable Payment Register and Void Report.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Motion accepting an Informational Report for the November 2024 Accounts Payable Payment Register and Void Report.

Removed from Consent

Consent

15. Consider approving the Third Amendment to the Agreement for the Operation of the King-Kennedy Memorial Center with the West Modesto Community Collaborative to amend the Agreement to a month-to-month basis until July 1, 2025. (Funding Source: General Fund)

- Resolution approving the Third Amendment to the Agreement for the Operation of the King-Kennedy Memorial Center with the West Modesto Community Collaborative to amend the Agreement to a month-to-month basis until July 1, 2025, and authorizing the City Manager, or his designee, to execute the Amendment.

PRN; John Skeel, 209-577-5216, jskeel@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-042 approving the Third Amendment to the Agreement for the Operation of the King-Kennedy Memorial Center with the West Modesto Community Collaborative to amend the Agreement to a month-to-month basis until July 1, 2025, and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

16. Consider approving the Plans and Specifications for the Bret Harte Neighborhood Strengthen & Replace Water Mains Phase 1B Project, accepting the Bid and Awarding a Construction Contract to Mid Cal Pipeline & Utilities, Inc., of Merced, CA in the amount of \$1,731,369, authorizing 15% in contingency (if needed), for a total amount not to exceed \$1,991,075, and approving an Agreement with Siegfried Engineering, of Modesto, CA, for Engineering Support During Construction in the amount of \$29,800, plus \$2,980 in additional services (if needed), for a total amount not to exceed \$32,780. (Funding Source: Water Fund)

- Resolution approving the Plans and Specifications for the Bret Harte Neighborhood Strengthen & Replace Water Mains Phase 1B Project, accepting the Bid and Awarding a Construction Contract to Mid Cal Pipeline & Utilities, of Merced, CA in the amount of \$1,731,369, authorizing the Director of Engineering Services to approve Change Orders up to the cumulative amount of \$259,706, 15% of the original contract price, for a total payment amount not to

exceed \$1,991,075 and authorizing the City Manager, or his designee, to execute the Contract.

- Resolution approving an Engineering Support during Construction Agreement with Siegfried Engineering, of Modesto, CA, for the Bret Harte Neighborhood Strengthen & Replace Water Mains Phase 1B Project in the amount of \$29,800, plus \$2,980 in additional services, if needed, for a total amount not to exceed \$32,780 and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution amending the Fiscal Year 2024-25 Capital Improvement Program Budget in the amount of \$678,500 to be transferred into the Project from Water Fund Reserves to fund the Bret Harte Neighborhood Strengthen & Replace Water Mains Phase 1B Project and authorizing the City Manager, or his designee, to implement the provision of the Resolution.

UTILITIES; Edgar Vargas, 209-577-5424, evargas@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-043 approving the Plans and Specifications for the Bret Harte Neighborhood Strengthen & Replace Water Mains Phase 1B Project, accepting the Bid and Awarding a Construction Contract to Mid Cal Pipeline & Utilities, of Merced, CA in the amount of \$1,731,369, authorizing the Director of Engineering Services to approve Change Orders up to the cumulative amount of \$259,706, 15% of the original contract price, for a total payment amount not to exceed \$1,991,075 and authorizing the City Manager, or his designee, to execute the Contract.

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-044 approving an Engineering Support during Construction Agreement with Siegfried Engineering, of Modesto, CA, for the Bret Harte Neighborhood Strengthen & Replace Water Mains Phase 1B Project in the amount of \$29,800, plus \$2,980 in additional services, if needed, for a total amount not to exceed \$32,780 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-045 amending the Fiscal Year 2024-25 Capital Improvement Program Budget in the amount of \$678,500 to be transferred into the Project from Water Fund Reserves to fund the Bret Harte Neighborhood Strengthen & Replace Water Mains Phase 1B Project and authorizing the City Manager, or his designee, to implement the provision of the Resolution.

Consent

17. Consider approving an Amended and Restated Memorandum of Agreement with Stanislaus County for the West Modesto Sewer Infrastructure Project: Spencer/Marshall Neighborhood – County Area 7. (Funding Source: Wastewater Fund)
 - Resolution approving an Amended and Restated Memorandum of Agreement with Stanislaus County for the West Modesto Sewer Infrastructure Project: Spencer/Marshall Neighborhood – County Area 7 and authorizing the City Manager, or his designee, to execute the Agreement.

- Resolution approving an Amendment to the Fiscal Year 2024-25 Multi-Year Program Budget in the amount of \$2,693,506 from Wastewater Reserves to fund the Construction Phase of the Septic to Sewer Program – County Area 7 and authorizing the City Manager, or his designee, to implement the provisions of the Resolution.

UTILITIES; Miguel Alvarez, 209-577-5348, malvarez@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-046 approving an Amended and Restated Memorandum of Agreement with Stanislaus County for the West Modesto Sewer Infrastructure Project: Spencer/Marshall Neighborhood – County Area 7 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-047 approving an Amendment to the Fiscal Year 2024-25 Multi-Year Program Budget in the amount of \$2,693,506 from Wastewater Reserves to fund the Construction Phase of the Septic to Sewer Program – County Area 7 and authorizing the City Manager, or his designee, to implement the provisions of the Resolution.

Consent

18. Consider approving an Amended and Restated Memorandum of Agreement with Stanislaus County for the West Modesto Sewer Infrastructure Project: Rouse/Colorado Neighborhood - County Area 9. (Funding Source: Wastewater Fund)
- Resolution approving an Amended and Restated Memorandum of Agreement with Stanislaus County for the West Modesto Sewer Infrastructure Project: Rouse/Colorado Neighborhood – County Area 9 and authorizing the City Manager, or his designee, to execute the Agreement.
 - Resolution approving an Amendment to the Fiscal Year 2024-25 Multi-Year Program Budget in the amount of \$8,427,259 from Wastewater Reserves to fund the Construction Phase of the Septic to Sewer Program – County Area 9 and authorizing the City Manager, or his designee, to implement the provisions of the Resolution.

UTILITIES; Miguel Alvarez, 209-577-5348, malvarez@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-048 approving an Amended and Restated Memorandum of Agreement with Stanislaus County for the West Modesto Sewer Infrastructure Project: Rouse/Colorado Neighborhood – County Area 9 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-049 approving an Amendment to the Fiscal Year 2024-25 Multi-Year Program Budget in the amount of \$8,427,259 from Wastewater Reserves to fund the Construction Phase of the Septic to Sewer Program – County Area 9 and authorizing the City Manager, or his designee, to implement the provisions of the Resolution.

COUNCIL COMMENTS & REPORTS

Council Member Escutia-Braaton praised the Fire Department for their assistance during the Southern California fires, where they sent fire equipment and personnel to help. She also attended a Blue Mass along with Council Member Williams and Vice-Mayor Bavaro at Saint Joseph's Catholic Church to honor first responders, including fire, law enforcement, and EMS personnel. The mass was well-attended, and participants were blessed and treated to a reception hosted by the Knights of Columbus. She expressed gratitude for the community's first responders.

Council Member Ricci thanked residents who attended the public meeting on the future of the old courthouse block, where there was broad support for a mixed-use development with retail, residential units, and spaces that celebrate Modesto's agricultural heritage. He also noted that the Trump administration paused Federal reimbursements, which could affect Stanislaus Regional Transit funding, potentially reducing bus routes. Finally, he highlighted the Community's desire to bring commercial air service back to Modesto, arguing it would stimulate economic growth and infrastructure development for the city.

Council Member Williams expressed gratitude for Stanislaus County firefighters' help in Los Angeles and offered prayers for those affected by the fires. He also reflected on the Martin Luther King celebrations, highlighting the march and commemorative service with community participation. Williams attended a city workshop and praised the opportunity for public input on Modesto's future. He mentioned the record attendance of Modesto Police Officers at the Blue Mass and noted the 101st birthday of his friend Hal Conkey, a dedicated Kiwanian.

Mayor Zwahlen reported being honored to participate in the Martin Luther King celebration at Christian Love Baptist Church, which was uplifting. She also spoke at a homeless conference hosted by the Stanislaus County Office of Education on January 20th, focusing on homeless youth. She expressed the importance of ensuring children feel safe and protected during vulnerable times and emphasized the responsibility of adults to make that happen.

CITY MANAGER COMMENTS & REPORTS

The City Manager briefly reported that the City receives various federal funds and is currently evaluating the potential impact of a recent federal funding issue. A judge has temporarily halted the order until February 3rd, allowing time to assess the situation and determine necessary steps to prevent service disruptions.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:41 P.M.

All Closed Session Matters heard prior to the meeting.

CLOSED SESSION

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

Property: 1000 L. Street, Modesto CA 95354; APN 105-048-011

Property Owners: Modesto Redevelopment Successor Agency

Negotiating Parties:

For City: Joseph P. Lopez, City Manager

For Lessee: Westmont Hospitality Group

Under Negotiation: Terms of Lease

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

Property: 601 Neece Dr., Modesto, CA 95351; APN: 102-012-001 and 102-012-004

Property Owners: City of Modesto

Negotiating Parties:

For City: Joseph P. Lopez, City Manager

For Lessee: DBH Modesto, LLC

Under Negotiation: Price and Terms of Lease

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

Name of Case: D.A. Wood Construction Inc. v. City of Modesto
Arbitration Case No.: 01-24-0007-0128

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

Name of case(s): Lynnell Fuller-Moore v. City of Modesto
California Workers Compensation Appeals Board
Nos. ADJ3378239

Sean Larsson v. City of Modesto
California Workers Compensation Appeals Board
Nos. Unassigned

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, February 04, 2025 at 5:30 PM

Special City Council - Closed Session Meeting 4 p.m.:

Roll Call – Present: Councilmembers Alvarez (arrived 4:01 P.M.), Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting, 5:30 p.m.:

Roll Call – Present: Councilmembers Alvarez (left at 6:00 P.M.), Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: Andrew Sampson, Modesto Church of the Brethren

City Clerk’s Announcements: None

Declaration of Conflicts of Interest:

Item 11 – Mayor Zwahlen, and Councilmember Escutia-Braaton recused.

Reports from Closed Session:

City Attorney Sanchez reported that the property negotiation item related to 1000 L Street was taken off the agenda, for all remaining items there was no reportable action.

MISCELLANEOUS

1. Consider accepting the resignation of Jennifer Barillas from the Audit Committee.
(Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of Jennifer Barillas from the Audit Committee.

*FINANCE DEPARTMENT; DeAnna Christensen, 209-577-5387,
dachristensen@modestogov.com*

ACTION: (Wright/Williams; 7/0) Resolution 2025-050 accepting the resignation of Jennifer Barillas from the Audit Committee.

PUBLIC COMMENT IN PERSON

- Diane Kroeze addressed the Council, expressing concerns about the homelessness crisis, particularly how severe weather conditions are affecting those without shelter. She noted that many homeless individuals are seeking refuge near the Salvation Army, as it is one of the few safe locations available. She also raised concerns about immigration enforcement, specifically the treatment of non-criminal individuals being detained and removed. She urged the Council to take a stand, by issuing a proclamation or making a statement in support of fair treatment for all people, regardless of race, nationality, or background.
- Milton Wheeler emphasized the importance of conserving Stanislaus County's natural resources, particularly its farmland. He expressed concern that the region, which has some of the best agricultural land in the world, is at risk due to urban sprawl and poor resource management. He urged the Council to prioritize sustainability for future generations by preserving water, air, and soil quality. Wheeler also warned that California will need to fallow significant farmland in the coming years due to water shortages. He called for responsible development, advocating for urban infill rather than outward expansion, and stressed that Stanislaus County should remain an agricultural hub rather than becoming a bedroom community for the Bay Area.
- Lucas expressed concern about the high number of car accidents in Modesto due to reckless driving. He advocated for reinstating the city's red light camera program, citing research suggesting such programs can reduce red light running-related crashes by 21-30%. Lucas argued that automated enforcement is more efficient than relying solely on law enforcement officers. He also provided national statistics on traffic fatalities, emphasizing the rise in red light running incidents and the overall impact of traffic violations. He concluded by addressing concerns about privacy, stating that driving is a regulated activity.
- Perfecto Munoz addressed the Council to express gratitude for their support in extending the operational time of the King Kennedy Memorial Center. He acknowledged the efforts of city officials, including Eric Alvarez, the Deputy City Manager, and the Parks and Recreation Director, for working closely with the community to maintain the center. Munoz highlighted the center's impact, particularly in public safety, noting the installation of security cameras in key areas. He shared that the center has grown significantly, expanding from a \$258,000 annual budget to \$1.5 million and offering 12 different programs. In 2024, the center served over 20,000 people, reflecting its vital role in the community. Munoz emphasized the dedication of his staff and expressed hope for continued collaboration with the city.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 2-9 (Escutia-Braaton/Wright; 7/0)

CONSENT

Consent

2. Consider approving the minutes for the January 28, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the January 28, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Escutia-Braaton/Wright; 7/0) Motion approving the minutes for the January 28, 2025 Council Meeting.

Consent

3. Consider approving an Amendment to the Mayor's Appointments to the City Council Liaison Committees for the 2025 calendar year. (Funding Source: Not Applicable)
 - Motion approving the amended City Council Liaison Committees assignments.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Escutia-Braaton/Wright; 7/0) Motion approving the amended City Council Liaison Committees assignments.

Consent

4. Consider approving the recommended budget adjustments to Fiscal Year 2024-25 Annual Operating and Capital Improvement Program Budgets. (Funding Source: Various Funds)
 - Resolution amending Fiscal Year 2024-25 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.
BUDGET; Stephan Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Escutia-Braaton/Wright; 7/0) Resolution 2025-051 amending Fiscal Year 2024-25 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.

Consent

5. Consider accepting the Graceada Park Pool Fencing Replacement Project as complete, releasing securities, releasing payments totaling \$164,907 to Joe's Landscaping & Concrete, Inc. of Newman, CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: American Rescue Plan Act (ARPA), General Fund, Parks Fund)
 - Resolution accepting the Graceada Park Pool Fencing Replacement Project as complete, releasing securities, releasing payments totaling \$164,907 to Joe's Landscaping & Concrete, Inc. of Newman, CA, and authorizing the City Clerk to file a Notice of Completion.

ENGINEERING SERVICES; Peter Kambel, 209-577-5444, pkambel@modestogov.com

ACTION: (Escutia-Braaton/Wright; 7/0) Resolution 2025-052 accepting the Graceada Park Pool Fencing Replacement Project as complete, releasing securities, releasing payments totaling \$164,907 to Joe’s Landscaping & Concrete, Inc. of Newman, CA, and authorizing the City Clerk to file a Notice of Completion.

Consent

6. Consider accepting an Informational Report for the December 2024 Accounts Payable Payment Register and Void Report. (Funding Source: Not Applicable)

- Motion accepting an Informational Report for the December 2024 Accounts Payable Payment Register and Void Report.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Escutia-Braaton/Wright; 7/0) Motion accepting an Informational Report for the December 2024 Accounts Payable Payment Register and Void Report.

Consent

7. Consider approving a Memorandum of Understanding (MOU) for Service between the City of Ceres, the City of Modesto, the Stanislaus Consolidated Fire Protection District (SCFPD), the City of Turlock, and the Stanislaus County Fire Warden’s Office for Fire Department Training Services. (Funding Source: General Fund)

- Resolution approving a Memorandum of Understanding (MOU) for Service between the City of Ceres, the City of Modesto, the Stanislaus Consolidated Fire Protection District (SCFPD), the City of Turlock, and the Stanislaus County Fire Warden’s Office for Fire Department Training Services; and authorizing the City Manager, or his designee, to execute the Agreement.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Escutia-Braaton/Wright; 7/0) Resolution 2025-053 approving a Memorandum of Understanding (MOU) for Service between the City of Ceres, the City of Modesto, the Stanislaus Consolidated Fire Protection District (SCFPD), the City of Turlock, and the Stanislaus County Fire Warden’s Office for Fire Department Training Services; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

8. Consider approving an Amendment to the Bylaws of the Modesto Blight Abatement Advisory Committee to allow for the two positions of registered electors of Stanislaus County to be filled by registered electors of the City of Modesto for one term if no applications for these positions are received. (Funding Source: Not Applicable)

- Resolution approving an Amendment to the Bylaws of the Modesto Blight Abatement Advisory Committee to allow for the two positions of registered electors of Stanislaus County to be filled by registered electors of the City of Modesto for one term if no applications for these positions are received.

PUBLIC WORKS; Myriah Hill, 209-577-5495, mhill@modestogov.com

ACTION: (Escutia-Braaton/Wright; 7/0) Resolution 2025-054 approving an Amendment to the Bylaws of the Modesto Blight Abatement Advisory Committee to allow for the two positions of registered electors of Stanislaus County to be filled by registered electors of the City of Modesto for one term if no applications for these positions are received.

Consent

9. Consider approving the Agreement with Amano McGann, Inc., Roseville, MN for Parking Access Control Revenue System Upgrade, Field Devices and Software for a total amount not to exceed \$991,495 over four years. (Funding Source: Measure H Funds)

- Resolution approving the Agreement with Amano McGann, Inc., Roseville, MN for Parking Access Control Revenue System Upgrade, Field Devices and Software for a total amount not to exceed \$991,495 over four years, and authorizing the City Manager, or his designee, to execute the Agreement.

PUBLIC WORKS; Patrick Crowley, 209-402-6812, pcrowley@modestogov.com

ACTION: (Escutia-Braaton/Wright; 7/0) Resolution 2025-055 approving the Agreement with Amano McGann, Inc., Roseville, MN for Parking Access Control Revenue System Upgrade, Field Devices and Software for a total amount not to exceed \$991,495 over four years, and authorizing the City Manager, or his designee, to execute the Agreement.

COUNCIL COMMENTS & REPORTS

Councilmember Williams shared his recent community engagements. He spoke at a Kindness Assembly at Capistrano Elementary, encouraging students to "be like a tree" by offering support and positivity. He attended the Modesto Chamber of Commerce's 111th celebration, highlighting honoree Ray Simon. Williams also participated in a Lunar New Year event at the Senior Center, commending City staff for their efforts. In recognition of Black History Month, he contributed to articles in the Modesto View and promoted events, including a production by Sankofa, Modesto's first African American theater company, at the Gallo Center, and a free Black History Month program at the King Kennedy Center on February 28.

Councilmember Ricci discussed key city issues, emphasizing traffic safety, housing, and urban tree restoration. He highlighted Modesto's high rate of traffic accidents and expressed hope that the upcoming budget would fund three additional traffic officers to enhance safety. He also encouraged homeowners to explore the city's Accessory Dwelling Unit (ADU) Dashboard, which offers reduced permit fees and free pre-approved plans for building small additional housing units. Lastly, he stressed the importance of restoring Modesto's urban tree canopy, noting that while over 1,000 trees have been removed annually due to aging, a stronger replanting plan is needed to improve air quality and reduce summer temperatures.

Councilmember Alvarez acknowledged the Marches for Migrant Awareness and his role on the Latino Emergency Council for El Concilio. He highlighted ongoing collaboration with California Rural Legal Assistance (CRLA) to provide Know Your Rights workshops for migrant communities in Modesto and the surrounding region. Alvarez also recognized Dr. Perfecto Munoz and the work of the West Modesto Community Collaborative, emphasizing the importance of retaining its services. He requested a 2024 impact report to better understand the organization's reach, particularly its service to 20,000 people. Lastly, he noted that he would be leaving the meeting early due to an unforeseen circumstance.

Councilmember Alvarez left at 6:00 p.m.

Councilmember Escutia-Bratton acknowledged the public service and resilience of Officer Michael Rokaitis, who was injured in 2021 while serving a search warrant. She noted that he has returned to full service as a detective in the Investigative Services Division. She also mentioned that the trial of the individual responsible for the shooting is currently in jury deliberation. Additionally, she highlighted the grand opening of Vallarta Supermarket in Modesto, emphasizing its economic impact, job creation, and availability of healthy food options. She invited the public to attend the ribbon-cutting ceremony at 9 a.m. at the former Save Mart location on Sisk and Glendale, with festivities beginning at 8:15 a.m.

Councilmember Wright addressed a concern about red light cameras, stating that approximately ten cameras will be installed in high-accident areas throughout Modesto in the coming months, with the potential for more in the future. He also directed further questions on the matter to the Police Chief.

Councilmember Williams additionally thanked Councilwoman Escutia-Bratton for acknowledging the Rokaitis family and expressed appreciation for their contributions to law enforcement. He also informed the public about an opportunity to meet an elected official at El Concilio, located at 1314 H Street, on Thursday from 4 to 6 PM. The event is free and open to the public.

Mayor Zwahlen shared an update on the Modesto Children's Museum, highlighting its Impactful For All Access Program, which provides discounted tickets for SNAP EBT users. In its first year, the museum served over 26,000 children and families, with 35% of ticket sales discounted—well above the national average of 5%. The museum has also partnered with Stanislaus County Libraries to offer free passes, providing over 2,500 free visits annually. Additionally, the museum will host a national tour of the character Gabby from Gabby's Dollhouse, collaborating with Dreamworks, Netflix, and the Association of Children's Museums. The museum works closely with Modesto City Schools to ensure early childhood students visit, and it has attracted visitors from across the country and internationally. The Modesto Children's Museum has received several awards, including recognition as Nonprofit of the Year by the Modesto Chamber of Commerce.

CITY MANAGER COMMENTS & REPORTS

None.

NEW BUSINESS

10. Consider approving City of Modesto's Homekey+ Project Application to California Department of Housing and Community Development (HCD) for the project located at 1121 Needham St., Modesto, CA 95354, with a project cost not to exceed \$22,896,000 and a Memorandum of Understanding with El Capitan Homekey LP that includes a Community Development Block Grant loan to not to exceed \$3,007,163. (Funding Source: Homekey+ and Community Development Block Grant Funds)
- Resolution approving the City of Modesto's Homekey+ Project Application to the California Department of Housing and Community Development (HCD) for the project located at 1121 Needham St., Modesto, CA 95354, with a total project cost not to exceed \$22,896,000, and approving a Memorandum of Understanding that includes a Community Development Block Grant loan to El Capitan Homekey LP in an amount not to exceed \$3,007,163, authorizing the City Manager, or his designee, to submit the application, applicable documentation, with alterations as required by the California Department of Housing and Community Development (HCD) as well as negotiate and execute any related program Agreements or documents required for the implementation and acceptance of Homekey+ Program Grant, as required by HCD.
 - A Resolution of the Governing Body of the City of Modesto authorizing joint application to and participation in the Homekey Program for the development at 1121 Needham Street.

CED; Edgar Garcia, 209-577-5101, edgarcia@modestgov.com

ACTION: (Ricci/Wright; 6/0; Alvarez absent) Resolution 2025-056 approving the City of Modesto's Homekey+ Project Application to the California Department of Housing and Community Development (HCD) for the project located at 1121 Needham St., Modesto, CA 95354, with a total project cost not to exceed \$22,896,000, and approving a Memorandum of Understanding that includes a Community Development Block Grant loan to El Capitan Homekey LP in an amount not to exceed \$3,007,163, authorizing the City Manager, or his designee, to submit the application, applicable documentation, with alterations as required by the California Department of Housing and Community Development (HCD) as well as negotiate and execute any related program Agreements or documents required for the implementation and acceptance of Homekey+ Program Grant, as required by HCD.

ACTION: (Ricci/Wright; 6/0; Alvarez absent) Resolution 2025-057 of the Governing Body of the City of Modesto authorizing joint application to and participation in the Homekey Program for the development at 1121 Needham Street.

11. Consider approving the Plans and Specifications for the Scenic Drive Phase II, Dry Creek Trail Phase II, Kansas Avenue, & Neighborhood Traffic Calming Program Cycle I Project, accepting the Bid and Awarding a Contract to Bay Cities Paving & Grading, Inc., of Concord, CA, for a total amount not to exceed \$13,551,894; and approving an Agreement with TRC Engineers, Inc., of Lathrop, CA for Construction

Management Services, Inspection and Materials Testing Services for a total amount not to exceed \$957,578. (Funding Source: Local Measure L Funds)

- Resolution approving the Plans and Specifications for the Scenic Drive Phase II, Dry Creek Trail Phase II, Kansas Avenue, & Neighborhood Traffic Calming Program Cycle I Project, accepting the Bid and Awarding a Contract to Bay Cities Paving & Grading, Inc., of Concord, CA, in the amount of \$12,319,904, and authorizing Change Orders up to the cumulative amount of \$1,231,990, for a total Agreement amount not to exceed \$13,551,894, and authorizing the City Manager, or his designee, to execute the Contract.
- Resolution approving an Agreement with TRC Engineers, Inc., of Lathrop, CA for Construction Management and Inspection Services for the Scenic Drive Phase II, Dry Creek Trail Phase II, Kansas Avenue, & Neighborhood Traffic Calming Program Cycle I Project in an amount not to exceed \$870,525, plus \$87,053 for additional services, if needed, for a total amount not to exceed \$957,578, and authorizing the City Manager, or his designee, to execute the Agreement.

ENGINEERING SERVICES; Michael Sacuskie, 209-571-5552, msacuskie@modestogov.com

ACTION: (Williams/Wright; 4/0; Alvarez absent; Zwahlen, Escutia-Braaton Recused) Resolution 2025-058 approving the Plans and Specifications for the Scenic Drive Phase II, Dry Creek Trail Phase II, Kansas Avenue, & Neighborhood Traffic Calming Program Cycle I Project, accepting the Bid and Awarding a Contract to Bay Cities Paving & Grading, Inc., of Concord, CA, in the amount of \$12,319,904, and authorizing Change Orders up to the cumulative amount of \$1,231,990, for a total Agreement amount not to exceed \$13,551,894, and authorizing the City Manager, or his designee, to execute the Contract.

ACTION: (Williams/Wright; 4/0; Alvarez absent; Zwahlen, Escutia-Braaton Recused) Resolution 2025-059 approving an Agreement with TRC Engineers, Inc., of Lathrop, CA for Construction Management and Inspection Services for the Scenic Drive Phase II, Dry Creek Trail Phase II, Kansas Avenue, & Neighborhood Traffic Calming Program Cycle I Project in an amount not to exceed \$870,525, plus \$87,053 for additional services, if needed, for a total amount not to exceed \$957,578, and authorizing the City Manager, or his designee, to execute the Agreement.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:44 P.M.

Attest: _____

Diane Nayares-Perez, City Clerk

All Closed Session Matters heard prior to the meeting.

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

(Pursuant to Section 54956.8 of the Government Code)

Property: 1000 L. Street, Modesto CA 95354; APN 105-048-011

Property Owners: Modesto Redevelopment Successor Agency

Negotiating Parties:

For City: Joseph P. Lopez, City Manager

For Lessee: Westmont Hospitality Group

Under Negotiation: Terms of Lease

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

(Pursuant to Section 54956.8 of the Government Code)

Property: 601 Neece Dr., Modesto, CA 95351; APN: 102-012-001 and 102-012-004

Property Owners: City of Modesto

Negotiating Parties:

For City: Joseph P. Lopez, City Manager

For Lessee: DBH Modesto, LLC

Under Negotiation: Price and Terms of Lease

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

One Case (Pursuant to Section 54956.9(a) of the Government Code)

Name of case(s): Gregory Selvera v. City of Modesto
California Workers Compensation Appeals Board

Nos. ADJ17195313

MINUTES
City of Modesto
SAFETY AND COMMUNITIES COMMITTEE / COUNCIL
WORKSHOP

2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, February 10, 2025 at 4:00 PM

Roll Call: Present: Chair Williams, Vice-Chair Ricci, Alternate Member Zwahlen
Absent: Member Escutia-Braaton

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-2 (Ricci/Zwahlen; 3/0; Escutia-Braaton absent)

CONSENT

Consent

1. Consider a First Amendment to the Agreement with Scotts PPE Recon Inc., Lodi, CA for Personal Protection Equipment (PPE) Cleaning, Inspection and Repair Services increasing the Agreement amount by \$200,000 and forwarding to Council for approval. (Funding Source: General Fund)
 - Motion recommending a First Amendment with Scotts PPE Recon Inc., for Personal Protection Equipment (PPE) Cleaning, Inspection and Repair Services increasing the Agreement amount by \$200,000 to a revised estimated annual amount of \$90,000 and a total amount not to exceed \$450,000 over five years and forwarding to Council for approval.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Ricci/Zwahlen; 3/0) Motion recommending a First Amendment with Scotts PPE Recon Inc., for Personal Protection Equipment (PPE) Cleaning, Inspection and Repair Services increasing the Agreement amount by \$200,000 to a revised estimated annual amount of \$90,000 and a total amount not to exceed \$450,000 over five years and forwarding to Council for approval.

Consent

2. Consider the Agreements for Portable Toilet Rental Services to United Site Services, Inc. of Modesto, CA and Clean Site Service of Highlands, CA for a total combined

amount not to exceed \$655,770 over five years and forwarding to Council for approval. (Funding Source: Various Funds)

- Motion recommending the Award of Bid and Agreements for Portable Toilet Rental Services to United Site Services of California, Inc., Modesto, CA and Clean Site Service, North Highlands, CA for a two-year Agreement with three one-year extension options, for an annual estimate amount of \$131,154 and a total amount not to exceed \$655,770 over five years; and forwarding to Council for approval.

PRN; John Skeel, 209-577-5216, jskeel@modestogov.com

ACTION: (Ricci/Zwahlen; 3/0) Motion recommending the Award of Bid and Agreements for Portable Toilet Rental Services to United Site Services of California, Inc., Modesto, CA and Clean Site Service, North Highlands, CA for a two-year Agreement with three one-year extension options, for an annual estimate amount of \$131,154 and a total amount not to exceed \$655,770 over five years; and forwarding to Council for approval.

NEW BUSINESS

Item 3 was removed from the agenda.

3. Consider the grant acceptance for the Department of Energy, Energy Efficiency and Conservation Block Grant Program, in an amount not to exceed \$421,720, for the purchase of three Class 4, 5, and 6 electric vehicles, from Kingsburg Truck Center, Kingsburg CA for an amount of \$509,657, and the grant acceptance for the Environmental Protection Agency and San Joaquin Valley Unified Air Pollution Control District grants, in an amount not to exceed a combined total of \$5,126,579 for the purchase of 11 Class 6 and 7 electric vehicles and forwarding to Council for approval. (Funding Source: Fleet Replacement Fund)

- Motion recommending the grant acceptance for the Department of Energy, Energy Efficiency and Conservation Block Grant voucher for an amount up to \$241,720 and forwarding to Council for approval.
- Motion recommending the purchase of three Class 4 electric vehicles, from Kingsburg Truck Center, Kingsburg CA for a total amount not to exceed \$509,657 and forwarding to Council for approval.
- Motion recommending the grant acceptance for the Environmental Protection Agency and San Joaquin Valley Unified Air Pollution Control District grants for a combined amount \$5,126,579 and forwarding to Council for approval.

PUBLIC WORKS; Patrick Crowley, 209-402-6812, pcrowley@modestogov.com

ADJOURNMENT

This meeting adjourned at 4:03 P.M.

Attest: _____
Dana Sanchez, Assistant City Clerk

MINUTES

City of Modesto

SPECIAL CITY COUNCIL MEETING

**City Council Workshop Regarding
Goals and Budget Priorities for Upcoming Budget - Day 2
Arbor Room, Modesto Centre Plaza,
1001 K Street
Modesto, California
Thursday, February 13, 2025 at 9:00 AM**

Roll Call – Present: Councilmembers Alvarez (arrived at 9:07 A.M.), Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen

PUBLIC COMMENT IN PERSON

- Dean Richardson spoke regarding meeting with tree advocate group called Urban Forest Modesto. He also clarified that the Modesto Garden Club's Annual Arbor Day tree planting on March 7, 2025, at 10 A.M. but announced the location has changed to Roosevelt Park west of the tennis courts on W. Orangeburg Ave. Councilmember Williams will be speaking at this event. He also requested Council to vote in favor of the City Forestry Budget and emphasized the past 20 years the Forestry has been neglected, but with the help of Measure H it could be improved. His hope is that Modesto becomes a world class Urban Forest with a lush, beautiful tree canopy that will have many benefits to the City.
- Daniel Yockey, representing the Modesto Garden Club, is requesting financial assistance from the City Council to restore and protect the Elaine Gallo Memorial Clock. The club, which has been beautifying Modesto for 100 years, faces ongoing issues with vandalism and damage to the clock, including broken arms and destroyed plantings. The request includes funds for a security fence to deter damage, relocation of the sprinkler system controls, and overall restoration to return the clock to its original status as one of the few flower clocks in the U.S. The club has traditionally been self-funded but has struggled financially since COVID-19. He is asking for \$25,000 for immediate restoration and \$10,000 annually for five years to maintain the project. He hopes for the Council's support in continuing the Club's beautification efforts.
- Juan Telles, representing Valley Improvement Projects and West Modesto, emphasized the need for increased housing and a more comprehensive urban canopy plan, particularly in areas affected by extreme heat like West and South Modesto. He also advocated for integrating blockchain and fintech technologies to improve city efficiency, budgeting, and inventory management. Additionally, he encouraged collaboration with organizations like Yuda and Valley Improvement Projects to move Modesto toward becoming a zero-waste city and to address housing shortages for mental health services.

NEW BUSINESS

Recessed 9:51 A.M. Resumed 10:00 A.M.

Recessed 10:37 A.M. Resumed 10:44 A.M.

Lunch Recess 11:32 A.M. Resumed 12:15 P.M.

1. City Council Workshop Regarding Goals and Budget Priorities for Upcoming Budget. (Funding Source: Not Applicable)
 - City Council Workshop Regarding Goals and Budget Priorities for Upcoming Budget.

CITY COUNCIL; Sue Zwahlen, 209-571-5597, szwahlen@modestogov.com

ACTION: Council gave direction for the City Manager's Office to conduct a workshop for the prioritization of the goals.

ACTION: Council gave direction for a two-year budget forecasting, with Councilmembers Bavaro, Escutia-Braaton, Williams, Wright, and Mayor Zwahlen expressing support, and Councilmembers Ricci and Alvarez expressing opposition to the plan.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 1:20 P.M.

Attest: _____
Dana Sanchez, Assistant City Clerk

MINUTES
City of Modesto
FINANCE COMMITTEE / COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, February 24, 2025 at 4:00 PM

Roll Call: Present: Committee Member Bavaro, Vice-Chair Wright, and Chair Escutia-Braaton
Absent: None

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-3 (Wright/Bavaro; 3/0)

CONSENT

Consent

1. Consider the recommended budget adjustments to Fiscal Year 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the budget adjustments to 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.
BUDGET; Steve Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the budget adjustments to 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.

Consent

2. Consider the addition of Moore Iacofano Goltsman, Inc. (MIG) to the On-Call Consultant Services Agreements for Municipal Planning Services and amending the Agreements with Precision Civil Engineering, Inc., Harris & Associates, Inc., and Environmental Science Associates (ESA), by decreasing the agreements by \$75,000

per consultant for a total not to exceed \$900,000 and forwarding to Council for approval. (Funding Source: Developer Fees)

- Motion recommending the addition of Moore Iacofano Goltsman, Inc. (MIG) to the On-Call Consultant Services Agreements for Municipal Planning Services and amending the Agreements with Precision Civil Engineering, Inc., Harris & Associates, Inc., and Environmental Science Associates (ESA), by decreasing the agreements by \$75,000 each, for a new agreement total of \$225,000 per consultant for a total not to exceed \$900,000 and forwarding to Council for approval.

CED; Leslie Danhoff, 209-577-5211, ldanhoff@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the addition of Moore Iacofano Goltsman, Inc. (MIG) to the On-Call Consultant Services Agreements for Municipal Planning Services and amending the Agreements with Precision Civil Engineering, Inc., Harris & Associates, Inc., and Environmental Science Associates (ESA), by decreasing the agreements by \$75,000 each, for a new agreement total of \$225,000 per consultant for a total not to exceed \$900,000 and forwarding to Council for approval.

Consent

3. Consider the purchase of four Compact Front (Wheel) Loader with Caterpillar Inc. under the authorized dealer, Holt of California, Modesto, CA for a total amount not to exceed \$591,340 and forwarding to Council for approval. (Funding Source: Fleet Replacement Fund)
 - Motion recommending the Competitive Bidding Process from Sourcewell to purchase four Compact Front (Wheel) Loader with Caterpillar Inc. under the authorized dealer, Holt of California, Modesto, CA, for an original purchase price in the amount of \$626,380 including a price reduction of \$35,040 due to rental fees for a revised purchase price in the amount not to exceed \$591,340; and forwarding to Council for approval.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Competitive Bidding Process from Sourcewell to purchase four Compact Front (Wheel) Loader with Caterpillar Inc. under the authorized dealer, Holt of California, Modesto, CA, for an original purchase price in the amount of \$626,380 including a price reduction of \$35,040 due to rental fees for a revised purchase price in the amount not to exceed \$591,340; and forwarding to Council for approval.

NEW BUSINESS

4. Consider the Purchasing Agreement for Renewable Diesel and Bulk Fuels to Hunt & Sons, LLC, Sacramento, California, for a total amount not to exceed \$18,750,000 over five years and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the Award of Bid and Purchasing Agreement for Renewable Diesel and Bulk Fuels to Hunt & Sons, LLC, Sacramento,

California, for a two-year Agreement with three one-year extension options, for an annual estimated amount \$3,750,000 and a total combined amount not to exceed \$18,750,000 over five years; and forwarding to Council for approval.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Bavaro/Wright; 3/0) Motion recommending the Award of Bid and Purchasing Agreement for Renewable Diesel and Bulk Fuels to Hunt & Sons, LLC, Sacramento, California, for a two-year Agreement with three one-year extension options, for an annual estimated amount \$3,750,000 and a total combined amount not to exceed \$18,750,000 over five years; and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:15 p.m.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, February 25, 2025 at 5:30 PM

Special City Council - Closed Session Meeting 4:15 p.m.:

Roll Call – Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Williams, Wright,
Mayor Zwahlen
Absent: Ricci

Regular City Council Meeting, 5:30 p.m.:

Roll Call – Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Williams, Wright,
Mayor Zwahlen
Absent: Ricci

Pledge of Allegiance to the Flag

Invocation: Jeff Pishney, Love Stanislaus County

City Clerk’s Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: No reportable action.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring March as National Women's History Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com
ACTION: Mayor Zwahlen presented proclamation declaring March as National Women's History Month.
2. Presentation of Award from National Town Watch Association for the City of Modesto's participation in National Night Out 2024. (Funding Source: Not Applicable)
POLICE DEPARTMENT; Charlene Aragon, 209-342-9175, arragonc@modestopd.com

ACTION: Lieutenant Michael Hammond presented the Award from National Town Watch Association for the City of Modesto's participation in National Night Out 2024.

MISCELLANEOUS

3. Consider accepting the resignations of Austin Grant and Joel Campos from the City of Modesto's Equity Commission. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignations of Austin Grant and Joel Campos from the City of Modesto's Equity Commission.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Williams/Wright; 6/0) Resolution 2025-060 accepting the resignations of Austin Grant and Joel Campos from the City of Modesto's Equity Commission.

PUBLIC COMMENT IN PERSON

- James Varble, secretary and president-elect of the McHenry Museum and Historical Society addressed the Modesto City Council to clarify concerns. He acknowledged past filing issues, now resolved, and dismissed claims from disruptive individuals demanding confidential information and an employee's termination. He affirmed proper donation handling and corrected misinformation about a history book coauthored by the Executive Director. Varble reiterated the Society's commitment to preserving local history and working with the City.
- Jesse Wiggins, a Modesto realtor and member of the Board of Building Appeals, addressed the Council about the lack of support for property owners in maintaining rental properties. While tenant advocacy programs exist, she noted a gap in resources for owners, especially those who are elderly or inherited properties. She proposed a referral program to help owners with repairs and code compliance and has discussed the idea with a City Representative.
- Danielle Morgart, representing Assemblyman Juan Alanis, provided a legislative update. She highlighted two key bills: AB 767, preventing the placement of sexually violent predators near schools and daycares, and AB 873, streamlining dental training to address workforce shortages. Alanis introduced 18 bills and coauthored numerous others. She encouraged the Council to reach out with any questions.
- Juan Telles, a West Modesto resident and community organizer, spoke about the need for transparency and collaboration in the City's strategic planning process. He proposed partnering on listening sessions across Modesto to gather resident input, followed by a town hall to share decisions and priorities. Telles emphasized his role in bringing community voices to the table for a more inclusive and revitalized City.
- Claudia Ponce, a Modesto resident from District 2, raised concerns about infrastructure issues in South Side Modesto, including flooding, lack of sidewalks, and unsafe conditions for children. She also highlighted a growing trash problem, with some areas becoming dumping sites. Ponce suggested adding trash cans at bus stops and organizing City-supported cleanups to improve the community.

- Lucas expressed concerns about increasing graffiti around Wood Colony and McHenry Ave., affecting businesses and properties. He also questioned the benefits of a proposed roundabout at an intersection near Carpenter Rd., seeking clarification on its impact.
- Daisy Mayorga urged City leaders to support local innovation and emerging technologies like blockchain, AI, and Web3 to prevent the community from falling behind. She highlighted efforts since 2019 to bring tech education to the region, including the 2023 launch of Yuda, which provides training in these fields. She criticized the lack of local government support for startups and the failure of SB 701, which aimed to create blockchain-related degrees. Mayorga emphasized that other cities investing in these technologies are thriving, while those that don't risk losing talent and economic opportunities. She called for action to secure funding, support education, and invest in the future.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: (4-20; Bavaro/Escutia-Braaton; 6/0)

CONSENT

Consent

4. Consider approving the minutes for the February 4, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the February 4, 2025 Council Meeting.
CITY CLERK; Diane Navares-Perez, 209-577-5396, dnavaresperez@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Motion approving the minutes for the February 4, 2025 Council Meeting.

Consent

5. Consider directing staff to prepare and file the Fiscal Year 2025-26 Engineer's Annual Report for City of Modesto Landscape Maintenance Assessment District No. 1 (Dry Creek Meadows Subdivisions Nos. 1-6). (Funding Source: Landscape Maintenance Assessment District No. 1)
 - Resolution directing staff to prepare and file the Fiscal Year 2025-26 Engineer's Annual Report for City of Modesto Landscape Maintenance Assessment District No. 1 (Dry Creek Meadows Subdivisions Nos. 1-6).
5. Consider directing staff to prepare and file the Fiscal Year 2025-26 Engineer's Annual Report for City of Modesto Landscape Maintenance Assessment District No. 1 (Dry Creek Meadows Subdivisions Nos. 1-6). (Funding Source: Landscape Maintenance Assessment District No. 1)
 - Resolution directing staff to prepare and file the Fiscal Year 2025-26 Engineer's Annual Report for City of Modesto Landscape Maintenance Assessment District No. 1 (Dry Creek Meadows Subdivisions Nos. 1-6).
CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-061 directing staff to prepare and file the Fiscal Year 2025-26 Engineer's Annual Report for City of Modesto Landscape Maintenance Assessment District No. 1 (Dry Creek Meadows Subdivisions Nos. 1-6).

Consent

6. Consider directing staff to prepare and file the Fiscal Year 2025-26 Engineer's Annual Report for City of Modesto Landscape Maintenance Assessment District No. 2 (Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision and Yosemite Meadows Subdivisions Units 1 and 2). (Funding Source: Landscape Maintenance Assessment District No. 2)

- Resolution directing staff to prepare and file the Fiscal Year 2025-26 Engineer's Annual Report for City of Modesto Landscape Maintenance Assessment District No. 2 (Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision and Yosemite Meadows Subdivisions Units 1 and 2).

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-062 directing staff to prepare and file the Fiscal Year 2025-26 Engineer's Annual Report for City of Modesto Landscape Maintenance Assessment District No. 2 (Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision and Yosemite Meadows Subdivisions Units 1 and 2).

Consent

7. Consider directing staff to prepare and file the Fiscal Year 2025-26 Engineer's Annual Report for City of Modesto Shackelford Landscape and Lighting District (Funding Source: Shackelford Landscape and Lighting District)

- Resolution directing staff to prepare and file the Fiscal Year 2025-26 Engineer's Annual Report for City of Modesto Shackelford Landscape and Lighting District.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-063 directing staff to prepare and file the Fiscal Year 2025-26 Engineer's Annual Report for City of Modesto Shackelford Landscape and Lighting District.

Consent

8. Consider approving the submission of the City's Local Transportation Funds Fiscal Year 2023-24 and 2024-25 Claim for Non-Motorized and Other Purposes (bike lanes and pedestrian pathways) in the amount of \$487,911, to the Stanislaus Council of Governments (StanCOG). (Funding Source: Local Transportation Funds)

- Resolution approving the submission of the City's Local Transportation Funds Fiscal Year 2023-24 and 2024-25 Claim for Non-motorized and Other Purposes (bike lanes and pedestrian pathways) in the amount of \$487,911 to the Stanislaus Council of Governments (STANCOG) 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 2024-2025 Capital Improvement Program Budget to fund project #100813 (Virginia Corridor Phase VII) in an amount not to exceed \$645,521 in transfers, revenue, and to budget expenditures to fund the project, and authorizing the City Manager or his designee, to implement the provisions of this Resolution.
8. Consider approving the submission of the City’s Local Transportation Funds Fiscal Year 2023-24 and 2024-25 Claim for Non-Motorized and Other Purposes (bike lanes and pedestrian pathways) in the amount of \$487,911, to the Stanislaus Council of Governments (StanCOG). (Funding Source: Local Transportation Funds)
- Resolution approving the submission of the City’s Local Transportation Funds Fiscal Year 2023-24 and 2024-25 Claim for Non-motorized and Other Purposes (bike lanes and pedestrian pathways) in the amount of \$487,911 to the Stanislaus Council of Governments (STANCOG) 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 2024-2025 Capital Improvement Program Budget to fund project #100813 (Virginia Corridor Phase VII) in an amount not to exceed \$645,521 in transfers, revenue, and to budget expenditures to fund the project, and authorizing the City Manager or his designee, to implement the provisions of this Resolution.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-064 approving the submission of the City’s Local Transportation Funds Fiscal Year 2023-24 and 2024-25 Claim for Non-motorized and Other Purposes (bike lanes and pedestrian pathways) in the amount of \$487,911 to the Stanislaus Council of Governments (STANCOG) and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-065 amending the Fiscal Year 2024-2025 Capital Improvement Program Budget to fund project #100813 (Virginia Corridor Phase VII) in an amount not to exceed \$645,521 in transfers, revenue, and to budget expenditures to fund the project, and authorizing the City Manager or his designee, to implement the provisions of this Resolution.

Consent

9. Consider accepting the Empire Yosemite Boulevard Water Main Crossings Strengthen & Replace Project as complete, releasing securities, releasing payments totaling \$1,125,289 to DDS Company, doing business as (DBA) Knife River Construction, of Stockton, CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: Water Fund)
- Resolution accepting the Empire Yosemite Boulevard Water Main Crossings Strengthen & Replace Project as complete, releasing securities, releasing payments totaling \$1,125,289 to DDS Company, doing business as (DBA)

Knife River Construction, of Stockton, CA, and authorizing the City Clerk to file a Notice of Completion.

ENGINEERING SERVICES; Peter Kambel, 209-577-5444, pkambel@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-066 accepting the Empire Yosemite Boulevard Water Main Crossings Strengthen & Replace Project as complete, releasing securities, releasing payments totaling \$1,125,289 to DDS Company, doing business as (DBA) Knife River Construction, of Stockton, CA, and authorizing the City Clerk to file a Notice of Completion.

Consent

10. Consider accepting the Park Turf Reduction Phase I Project as complete, releasing securities, releasing payments totaling \$345,092 to Marina Landscape, Inc., of Orange, CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: American Rescue Plan Act (ARPA), Urban Community Drought Relief Grant Program)

- Resolution accepting the Park Turf Reduction Phase I Project as complete, releasing securities, releasing payments totaling \$345,092 to Marina Landscape, Inc., of Orange, CA., and authorizing the City Clerk to file a Notice of Completion.

ENGINEERING SERVICES; Pete Kambel, 209-577-5444, pkambel@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-067 accepting the Park Turf Reduction Phase I Project as complete, releasing securities, releasing payments totaling \$345,092 to Marina Landscape, Inc., of Orange, CA., and authorizing the City Clerk to file a Notice of Completion.

Consent

11. Consider accepting the Sutter Trunk Rehabilitation Phase 2 Project as complete, releasing securities, releasing payments totaling \$5,335,597 to A. Teichert & Son, Inc., doing business as (DBA) Teichert Construction, of Roseville, CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: Wastewater Fund)

- Resolution accepting the Sutter Trunk Rehabilitation Phase 2 Project as complete, releasing securities, releasing payments totaling \$5,335,597 to A. Teichert & Son, Inc., DBA Teichert Construction, of Roseville, CA, and authorizing the City Clerk to file a Notice of Completion.

ENGINEERING SERVICES; Pete Kambel, 209-577-5444, pkambel@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-068 accepting the Sutter Trunk Rehabilitation Phase 2 Project as complete, releasing securities, releasing payments totaling \$5,335,597 to A. Teichert & Son, Inc., DBA Teichert Construction, of Roseville, CA, and authorizing the City Clerk to file a Notice of Completion.

Consent

12. Consider accepting the Monthly Investment Report for December 2024. (Funding Source: Various Funds)

- Motion accepting the Monthly Investment Report for December 2024.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Motion accepting the Monthly Investment Report for December 2024.

Consent

13. Consider accepting an Informational Report on the November and December 2024 Grant Applications and Awards. (Funding Source: Not Applicable)

- Motion accepting an Informational Report for November and December 2024, Grant Applications and Awards.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Motion accepting an Informational Report for November and December 2024, Grant Applications and Awards.

Consent

14. Consider approving the Audited Financial Statements and various Audit Reports for Fiscal Year 2023-2024, audited by external auditor Vasquez & Company, LLP. for the City's Annual Comprehensive Financial Report (ACFR), thirteen Community Facilities Districts (CFDs), Measure H, Single Audit, and various Joint Powers Agencies. (Funding Source: Not Applicable)

- Resolution approving the Audited Financial Statements and various Audit Reports for Fiscal Year 2023-2024 audited by external auditors Vasquez & Company, LLP. for the City's Annual Comprehensive Financial Report (ACFR), thirteen Community Facilities Districts (CFDs), Measure H and various Joint Powers Agencies (JPAs).
- Resolution approving the audited Fiscal Year 2023-2024 Federal Single Audit report for the City of Modesto from external auditors Vasquez & Company, LLP.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-069 approving the Audited Financial Statements and various Audit Reports for Fiscal Year 2023-2024 audited by external auditors Vasquez & Company, LLP. for the City's Annual Comprehensive Financial Report (ACFR), thirteen Community Facilities Districts (CFDs), Measure H and various Joint Powers Agencies (JPAs).

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-070 approving the audited Fiscal Year 2023-2024 Federal Single Audit report for the City of Modesto from external auditors Vasquez & Company, LLP.

Consent

15. Consider approving the Purchasing Agreements for the purchase of Transit Motor Parts with Gillig (LLC) Limited Liability Company, Hayward, CA, and Fleet Motor Parts and Services with Municipal Maintenance Equipment (MME), Sacramento, CA for a total amount not to exceed \$3,575,000. (Funding Source: Fleet Fund and Stanislaus Regional Transit Authority)
- Resolution approving the Purchasing Agreement for the purchase of Transit Motor Parts with Gillig LLC, Hayward, CA, for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$385,000 and a total amount not to exceed \$1,925,000 over five years; and authorizing the City Manager or his designee to execute the Agreement.
 - Resolution approving the Purchasing Agreements for the purchase of parts and repair services with Municipal Maintenance Equipment, Sacramento, CA for a two-year Agreement with three one-year extension options, for an annual combined estimated amount of \$330,000 and a total amount not to exceed \$1,650,000 over five years; and authorizing the City Manager or his designee to execute the Agreements.
15. Consider approving the Purchasing Agreements for the purchase of Transit Motor Parts with Gillig (LLC) Limited Liability Company, Hayward, CA, and Fleet Motor Parts and Services with Municipal Maintenance Equipment (MME), Sacramento, CA for a total amount not to exceed \$3,575,000. (Funding Source: Fleet Fund and Stanislaus Regional Transit Authority)
- Resolution approving the Purchasing Agreement for the purchase of Transit Motor Parts with Gillig LLC, Hayward, CA, for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$385,000 and a total amount not to exceed \$1,925,000 over five years; and authorizing the City Manager or his designee to execute the Agreement.
 - Resolution approving the Purchasing Agreements for the purchase of parts and repair services with Municipal Maintenance Equipment, Sacramento, CA for a two-year Agreement with three one-year extension options, for an annual combined estimated amount of \$330,000 and a total amount not to exceed \$1,650,000 over five years; and authorizing the City Manager or his designee to execute the Agreements.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-071 approving the Purchasing Agreement for the purchase of Transit Motor Parts with Gillig LLC, Hayward, CA, for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$385,000 and a total amount not to exceed \$1,925,000 over five years; and authorizing the City Manager or his designee to execute the Agreement.

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-072 approving the Purchasing Agreements for the purchase of parts and repair services with Municipal Maintenance Equipment, Sacramento, CA for a two-year Agreement with three one-year extension options, for an annual combined estimated amount of \$330,000 and a

total amount not to exceed \$1,650,000 over five years; and authorizing the City Manager or his designee to execute the Agreements.

Consent

16. Consider approving the First Amendment with Neil Sullivan LLC, Concord, California for Executive Team and Management Engagement Services increasing the Agreement amount to \$50,000. (Funding Source: Various Funds)

- Resolution approving the First Amendment with Neil Sullivan LLC, Concord, California for Executive Team and Management Engagement Services increasing the Agreement amount by \$50,000 to a new total amount of \$200,000 through the term of the Agreement; and authorizing the City Manager or his designee to execute the Amendment.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-073 approving the First Amendment with Neil Sullivan LLC, Concord, California for Executive Team and Management Engagement Services increasing the Agreement amount by \$50,000 to a new total amount of \$200,000 through the term of the Agreement; and authorizing the City Manager or his designee to execute the Amendment.

Consent

17. Consider approving the Agreements with Bolt Staffing Service, Inc., Stockton, CA and Tryfacta, Inc., Stockton, CA for the furnishing of Temporary Staffing Services, for a total amount not to exceed \$2,596,340 over five years. (Funding Source: Various Funds)

- Resolution approving the Agreements for the furnishing of Temporary Staffing Services with Bolt Staffing Service, Inc., Stockton, CA, for a two-year agreement with three one-year extension options, for an annual combined estimated amount of \$519,268 and a total combined amount not to exceed \$2,596,341 over five years and authorizing the City Manager or his designee to execute the Agreements.

17. Consider approving the Agreements with Bolt Staffing Service, Inc., Stockton, CA and Tryfacta, Inc., Stockton, CA for the furnishing of Temporary Staffing Services, for a total amount not to exceed \$2,596,340 over five years. (Funding Source: Various Funds)

- Resolution approving the Agreements for the furnishing of Temporary Staffing Services with Bolt Staffing Service, Inc., Stockton, CA, for a two-year agreement with three one-year extension options, for an annual combined estimated amount of \$519,268 and a total combined amount not to exceed \$2,596,341 over five years and authorizing the City Manager or his designee to execute the Agreements.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-074 approving the Agreements for the furnishing of Temporary Staffing Services with Bolt Staffing Service, Inc., Stockton, CA, for a two-year agreement with three one-year extension

options, for an annual combined estimated amount of \$519,268 and a total combined amount not to exceed \$2,596,341 over five years and authorizing the City Manager or his designee to execute the Agreements.

Consent

18. Consider approving establishing the creation of a new fund to track the Opioids Settlement Proceeds and Opioids Spending Plan as defined by the State of California Department of Health Care Services (DHCS). (Funding Source: Settlement Proceeds)
- Resolution approving the creation of a new Fund, 1890 – Opioid Settlements Fund, to track the Opioids Settlement Proceeds and Opioids Spending Plan as defined by the State of California Department of Health Care Services (DHCS).
 - Resolution approving an amendment to the Fiscal Year 2024-2025 Multi-Year Operating Budget to fund Project 101646 – Opioid Settlement Funds in the amount of \$1,728,302 to increase expenditures and recognize revenue for the Opioids Spending Plan based upon the settlement amounts.

POLICE DEPARTMENT; Chris Adams, 209-572-9500, adams@modestopd.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-075 approving the creation of a new Fund, 1890 – Opioid Settlements Fund, to track the Opioids Settlement Proceeds and Opioids Spending Plan as defined by the State of California Department of Health Care Services (DHCS).

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-076 approving an amendment to the Fiscal Year 2024-2025 Multi-Year Operating Budget to fund Project 101646 – Opioid Settlement Funds in the amount of \$1,728,302 to increase expenditures and recognize revenue for the Opioids Spending Plan based upon the settlement amounts.

Consent

19. Consider approving the First Amendment with Audeamus DBA Sebastian, Fresno, CA, for the Building Intrusion Alarm Services, increasing the Agreement for a total amount not to exceed \$206,694 over five years. (Funding Source: Building Maintenance Fund)
- Resolution approving the First Amendment with Audeamus DBA Sebastian, for the Building Intrusion Alarm Services, increasing the Agreement amount by \$122,696 for a new total amount not to exceed \$206,694; and authorizing the City Manager, or his designee to execute the Amendment.
19. Consider approving the First Amendment with Audeamus DBA Sebastian, Fresno, CA, for the Building Intrusion Alarm Services, increasing the Agreement for a total amount not to exceed \$206,694 over five years. (Funding Source: Building Maintenance Fund)
- Resolution approving the First Amendment with Audeamus DBA Sebastian, for the Building Intrusion Alarm Services, increasing the Agreement amount by \$122,696 for a new total amount not to exceed \$206,694; and authorizing the City Manager, or his designee to execute the Amendment.

PUBLIC WORKS; Gabe daSilva, 209-342-2281, gdasilva@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-077 approving the First Amendment with Audeamus DBA Sebastian, for the Building Intrusion Alarm Services, increasing the Agreement amount by \$122,696 for a new total amount not to exceed \$206,694; and authorizing the City Manager, or his designee to execute the Amendment.

Consent

20. Consider approving an Agreement with Carollo Engineers, Inc., Sacramento, CA for Standard Operating Procedures Development and Gap Analysis Services for a total amount not to exceed \$801,220. (Funding Source: Sewer Operations Fund)
- Resolution approving an Agreement with Carollo Engineers, Inc., Sacramento, CA, for Standard Operating Procedures Development and Gap Analysis Services in the amount of \$728,382, plus \$72,838 in additional services, if needed, for a total amount not to exceed \$801,220; and authorizing the City Manager, or his designee, to execute the Agreement.
 - Resolution amending the Fiscal Year 2023-2024 Non-Capital Improvements Program budget to increase Project Number 101474 - SOP Development by \$401,220, from \$400,000, for a revised total amount not to exceed \$801,220, in transfers, revenue, and discretionary expenditures, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

UTILITIES; Jeff Daniels, 209-577-6255, jdaniels@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-078 approving an Agreement with Carollo Engineers, Inc., Sacramento, CA, for Standard Operating Procedures Development and Gap Analysis Services in the amount of \$728,382, plus \$72,838 in additional services, if needed, for a total amount not to exceed \$801,220; and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-079 amending the Fiscal Year 2023-2024 Non-Capital Improvements Program budget to increase Project Number 101474 - SOP Development by \$401,220, from \$400,000, for a revised total amount not to exceed \$801,220, in transfers, revenue, and discretionary expenditures, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

COUNCIL COMMENTS & REPORTS

Vice-Mayor Bavaro reported on multiple police operations targeting smoke shops in Modesto, revealing widespread illegal activity. Recent inspections led to numerous arrests and the seizure of illegal tobacco, cannabis, meth pipes, firearms, and gambling funds.

Investigations showed many smoke shops serve as fronts for crimes, including illegal gambling and drug sales, often targeting youth with cartoon-themed packaging. Bavaro emphasized that these businesses contribute no social or economic value and expressed support for an upcoming Smoke Shop ordinance.

Council Member Williams recapped several community events from the past weekend. On Friday, the City honored the late Rebecca Harrington, a dedicated community advocate, with a well-attended celebration of her life. On Saturday, the Kiwanis convention took place in Modesto, bringing over 600 attendees from California, Nevada, and Hawaii. The North Modesto Kiwanis Club, led by Chairperson Anna, did an excellent job hosting. That evening, Williams attended the Modesto Firefighters Association crab feed, which was well-attended and enjoyable. Additionally, Williams spoke to the Central Valley Association of Realtors (CVAA) about upcoming housing developments in Modesto and encouraged involvement in City commissions, particularly in housing. He highlighted a City program that assists homeowners in need of repairs, directing residents to Modesto's website for more information. Council Member Williams added two important upcoming events in celebration of Black History Month. The first on February 26th at the Red Event Center on 801 Eighth Street at 11:30 AM, featuring four speakers. The second event is on February 28th at the King Kennedy Center, 601 North Martin Luther King Drive, at 5:30 PM, offering a free Black History Month program with light food. Williams emphasized the importance of sharing this information with the community.

Council Member Alvarez discussed various initiatives and advocacy efforts, particularly addressing infrastructure issues in South Modesto. In 2023, Alvarez supported a \$16 million budget request for infrastructure improvements in unincorporated areas, collaborating with Senator Marie Alvarado-Gil's office and Supervisor Condit. He highlighted ongoing efforts with Measure H-funded blight mitigation programs, where City trucks respond to constituent requests to tackle blight and debris. Alvarez also mentioned upcoming community meetings for the City's five-year consolidated plan, which will focus on affordable housing, homelessness, and social services. The first workshop in District 2 will be on February 26th at the King Kennedy Center, followed by another on March 3rd at the Airport Neighborhood Collaborative.

Council Member Escutia-Braaton praised the dedication and hard work of local firefighters, who respond to around 43,000 calls yearly, averaging 30 to 70 calls a day. She highlighted their bravery and courage and celebrated them at a recent crab feed. Escutia-Braaton also shared her participation in the National Association of Regional Councils conference, representing the Stanislaus Council of Governments. She attended the installation of Rabbi Caitlin Bromberg at Beth Shalom and expressed excitement for an upcoming trip to Sacramento to advocate for local transportation funding. She added the importance of public feedback on local projects and encouraged residents to participate in community events or provide input through an online survey on the Modesto website.

CITY MANAGER COMMENTS & REPORTS

None.

HEARINGS

Published in the Modesto Bee on February 14, 2025. - Item requested to be continued to March 11, 2025 Council meeting.

- 21. Hearing to consider approving an application for a Conditional Use Permit and Operating Agreement by Outfront Media to allow a digital freeway billboard located on the east side of State Highway 99 and south of Evergreen Avenue, located at 2024 W. Orangeburg Avenue. (Funding Source: Application Fee)

- Motion to continue item to March 11, 2025.

CED; Edwin Borquez, 209-577-5516, eborquez@modestogov.com

ACTION: (Wright/Williams; 6/0) Motion to continue item to March 11, 2025.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:32 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

All Closed Session Matters heard prior to the meeting.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION

One Claim (Pursuant to Section 54956.9(d)(2) of the Government Code)

Name of Claim: Sergio Gonzalez v. City of Modesto, et al.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

(Pursuant to Section 54956.8 of the Government Code)

Property: 601 Neece Dr., Modesto, CA 95351; APN: 102-012-001 and 102-012-004

Property Owners: City of Modesto

Negotiating Parties:

For City: Joseph P. Lopez, City Manager

For Lessee: DBH Modesto, LLC

Under Negotiation: Price and Terms of Lease

MINUTES
City of Modesto
ECONOMIC DEVELOPMENT COMMITTEE
COUNCIL WORKSHOP
2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, March 03, 2025 at 4:00 PM

Roll Call: Present: Vice-Chair Zwahlen, Committee Member Bavaro, Alternate Member Williams

Absent: Chair Alvarez

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-2 (Bavaro/Williams; 3/0)

CONSENT

Consent

1. Consider the Plans and Specifications for the Downtown Signal Coordination G Street and H Street, CML 5059(261) Project, accepting the Bid, and Awarding a Contract to Bear Electrical Solutions, LLC of Alviso, CA in the amount of \$1,176,085, and a twenty percent contingency amount of \$235,217 for a total amount not to exceed \$1,411,302, and forwarding to Council for approval. (Funding Source: Congestion Mitigation and Air Quality and Measure L Funds)
 - Motion recommending the Plans and Specifications for the Downtown Signal Coordination G Street and H Street, CML 5059(261) Project, accepting the Bid, and Awarding a Contract to Bear Electrical Solutions, LLC of Alviso, CA in the amount of \$1,176,085, and a twenty percent contingency amount of \$235,217 for a total amount not to exceed \$1,411,302, and forwarding to Council for approval.

PUBLIC WORKS; Max Navarro, 209-571-5116, manavarro@modestogov.com

ACTION: (Bavaro/Williams; 3/0) Motion recommending the Plans and Specifications for the Downtown Signal Coordination G Street and H Street, CML 5059(261) Project,

accepting the Bid, and Awarding a Contract to Bear Electrical Solutions, LLC of Alviso, CA in the amount of \$1,176,085, and a twenty percent contingency amount of \$235,217 for a total amount not to exceed \$1,411,302, and forwarding to Council for approval.

Consent

2. Consider the First Amendment to the Site-to-Site Communications Services Agreement with Ayera Technologies Inc., Modesto, CA, increasing the Agreement amount by \$117,500 and extending the term of the Agreement from July 14, 2027, to July 14, 2030, and forwarding to Council for approval. (Funding Source: Congestion Mitigation and Air Quality)

- Motion recommending the First Amendment to the Site-to-Site Communications Services Agreement with Ayera Technologies Inc., Modesto, CA, increasing the Agreement amount by \$117,500 from \$525,000 to a new revised total amount of \$642,500 and extending the term of the Agreement from July 14, 2027, to July 14, 2030, and forwarding to Council for approval.

PUBLIC WORKS; Max Navarro, 209-571-5116, manavarro@modestogov.com

ACTION: (Bavaro/Williams; 3/0) Motion recommending the First Amendment to the Site-to-Site Communications Services Agreement with Ayera Technologies Inc., Modesto, CA, increasing the Agreement amount by \$117,500 from \$525,000 to a new revised total amount of \$642,500 and extending the term of the Agreement from July 14, 2027, to July 14, 2030, and forwarding to Council for approval.

NEW BUSINESS

3. Consider a Subtrunk Sewer Reimbursement Agreement with KB Home North Bay LLC for the construction of the Sonoma Sewer Trunk Extension Phase 3 & 4A Project and forwarding to Council for approval. (Funding Source: Wastewater Fund)

- Motion recommending a Subtrunk Sewer Reimbursement Agreement with KB Home North Bay LLC for the construction of the Sonoma Sewer Trunk Extension Phase 3 & 4A Project and forwarding to Council for approval.

ENGINEERING SERVICES; Jaspreet Mangat, 209-577-5253, jmangat@modestogov.com

ACTION: (Williams/Bavaro; 3/0) Motion recommending a Subtrunk Sewer Reimbursement Agreement with KB Home North Bay LLC for the construction of the Sonoma Sewer Trunk Extension Phase 3 & 4A Project and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:07 P.M

Attest: _____
Reyna Mendoza, Deputy City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, March 04, 2025 at 5:30 PM

Roll Call – Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen

Absent: None

Pledge of Allegiance to the Flag

Invocation: Jeremy Brown, Chaplain with Doctors Medical Center

City Clerk’s Announcements: None

Declaration of Conflicts of Interest: None

PUBLIC COMMENT IN PERSON

- Todd Aaronson, CEO of Visit Modesto, reported significant tourism growth since the City Council approved a business plan in 2019. Despite challenges, initiatives like the Almond Blossom Cruise have gained national recognition. Hotel occupancy is up over 11%, with increased visitors from across the U.S. and internationally. Local businesses have seen record demand and Visit Modesto’s marketing has reached over 100,000 users. Aaronson attributed this success to his team, local businesses, and community support.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: (1-5; Bavaro/Wright; 7/0)

CONSENT

Consent

1. Consider approving the minutes for the February 25, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the February 25, 2025 Council Meeting.

CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Motion approving the minutes for the February 25, 2025 Council Meeting.

Consent

- 2. Consider accepting the 2024 General Plan Annual Progress Report and authorizing staff to submit it to the State of California. (Funding Source: General Fund)
 - Resolution accepting the 2024 General Plan Annual Progress Report and authorizing staff to submit it to the State of California.

CED; Jessica Hill, 209-577-5211, jhill@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-080 accepting the 2024 General Plan Annual Progress Report and authorizing staff to submit it to the State of California.

Consent

- 3. Consider approving the addition of Moore Iacofano Goltsman, Inc. (MIG) to the On-Call Consultant Services Agreements for Municipal Planning Services and amending the Agreements with Precision Civil Engineering, Inc., Harris & Associates, Inc., and Environmental Science Associates (ESA), by decreasing the agreements by \$75,000 per consultant for a total not to exceed \$900,000. (Funding Source: Developer Fees)
 - Resolution approving the addition of Moore Iacofano Goltsman, Inc. (MIG) to the On-Call Consultant Services Agreements for Municipal Planning Services and amending the Agreements with Precision Civil Engineering, Inc., Harris & Associates, Inc., and Environmental Science Associates (ESA), by decreasing the agreements by \$75,000 each, for a new agreement total of \$225,000 per consultant for a total not to exceed \$900,000 and authorizing the City Manager or his designee to execute the Consultant Services Agreements.

CED; Leslie Danhoff, 209-577-5211, ldanhoff@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-081 approving the addition of Moore Iacofano Goltsman, Inc. (MIG) to the On-Call Consultant Services Agreements for Municipal Planning Services and amending the Agreements with Precision Civil Engineering, Inc., Harris & Associates, Inc., and Environmental Science Associates (ESA), by decreasing the agreements by \$75,000 each, for a new agreement total of \$225,000 per consultant for a total not to exceed \$900,000 and authorizing the City Manager or his designee to execute the Consultant Services Agreements.

Consent

- 4. Consider approving a First Amendment to the Agreement with Scotts PPE Recon Inc., Lodi, CA for Personal Protection Equipment (PPE) Cleaning, Inspection and Repair Services increasing the Agreement amount by \$200,000. (Funding Source: General Fund)
 - Resolution approving a First Amendment with Scotts PPE Recon Inc., for Personal Protection Equipment (PPE) Cleaning, Inspection and Repair Services

increasing the Agreement amount by \$200,000 to a revised estimated annual amount of \$90,000 and a total amount not to exceed \$450,000 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-082 approving a First Amendment with Scotts PPE Recon Inc., for Personal Protection Equipment (PPE) Cleaning, Inspection and Repair Services increasing the Agreement amount by \$200,000 to a revised estimated annual amount of \$90,000 and a total amount not to exceed \$450,000 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

5. Consider approving the Agreements for Portable Toilet Rental Services to United Site Services, Inc. of Modesto, CA and Clean Site Service of Highlands, CA for a total combined amount not to exceed \$655,770 over five years. (Funding Source: Various Funds)

- Resolution approving the Award of Bid and Agreements for Portable Toilet Rental Services to United Site Services Inc., Modesto, CA and Clean Site Service, North Highlands, CA for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$131,154 and a total amount not to exceed \$655,770 over five years; and authorizing the Director of Finance to adjust agreement totals between vendors based on contractor's availability and department's needs, ensuring the combined total amount does not change and authorizing the City Manager, or his designee, to execute the Agreements.

PRN; John Skeel, 209-577-5216, jskeel@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-083 approving the Award of Bid and Agreements for Portable Toilet Rental Services to United Site Services Inc., Modesto, CA and Clean Site Service, North Highlands, CA for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$131,154 and a total amount not to exceed \$655,770 over five years; and authorizing the Director of Finance to adjust agreement totals between vendors based on contractor's availability and department's needs, ensuring the combined total amount does not change and authorizing the City Manager, or his designee, to execute the Agreements.

COUNCIL COMMENTS & REPORTS

Vice-Mayor Bavaro shared insights from a ride-along with Fire Station 5, highlighting the impact of the City's investment in Advanced Life Support (ALS) on Fire Engines. He observed Paramedics providing rapid medical care, using equipment like EKG monitors to assess patients before ambulances arrived, ultimately saving time and improving outcomes. He praised the Council's decision to allocate Measure H funds for ALS

upgrades and emphasized the need to ensure a paramedic is present on every engine to maximize effectiveness. Bavaro commended the professionalism of Station 5's team.

Council Member Escutia-Braaton announced participation in the Appointments Committee meeting, where recommendations for City Boards, Commissions, and Committees will be made. She encouraged community involvement, highlighting opportunities in various areas, including Measure H oversight. She also shared updates on the City's five-year Consolidated Plan workshops, required by HUD for federal funding. A recent workshop in her district had strong community participation, with discussions held in both English and Spanish to ensure diverse input. She emphasized the importance of public engagement in shaping Modesto's future.

Council Member Wright thanked Visit Modesto and Todd Aaronson for their efforts in promoting the City over the past four years. He highlighted the organization's success in gaining media recognition and attracting visitors, sharing an encounter with a traveler from England who was impressed by Modesto. Wright encouraged regular updates to the Council to keep members informed about Visit Modesto's impact and expressed appreciation for their work in showcasing the City.

Council Member Ricci expressed support for the upcoming Smoke Shop Ordinance, emphasizing the need to regulate unlicensed businesses that sell illegal substances, including unlicensed cannabis and meth pipes, often to minors. He highlighted the difference between regulated dispensaries and unregulated smoke shops, stressing the importance of accountability. He also praised the City's Blight Abatement Team for their efforts in cleaning up Modesto's streets and alleys. Additionally, he commended Visit Modesto for its work in promoting the city, sharing his observations of visitors enjoying the almond blossoms and noting Modesto's positive recognition in major publications.

Council Member Williams thanked Todd Aaronson for his updates and shared several community events. He congratulated Gladys Williams on receiving the MLK Legacy Award and highlighted the upcoming NAACP Freedom Fund Dinner and a tree planting event at Roosevelt Park for Arbor Day. He also recounted a unique fundraiser between the Fire and Police Departments, where participants played basketball on donkeys, with the Modesto Police Department winning. He expressed appreciation for the event's success in supporting POW's.

Mayor Zwahlen highlighted two recent events she attended. Black History Month empowerment luncheon hosted by the Cesar Chavez Community Celebration Committee, which was also attended by Council Member Williams and Vice-Mayor Bavaro, which featured a panel and was well received. She also spoke at the Appraisal Institute's annual spring conference at the DoubleTree, where she welcomed attendees and discussed Modesto's economic development and housing initiatives.

CITY MANAGER COMMENTS & REPORTS

None.

HEARINGS

Published in the Modesto Bee on February 12, 2025.

6. Hearing to consider approving the application of Lennar Homes of California LLC for the rezone of approximately 22.6 acres in the Kiernan Business Park Specific Plan from Specific Plan (SP) Zone to Planned Development Zone P-D(617). (Funding Source: Developer Funded)
- Resolution approving a Development Plan for Planned Development Zone P-D(617).
 - Resolution adopting a Mitigated Negative Declaration for a rezone of 22.6 acres from Specific Plan (SP) Zone to Planned Development Zone P-D(617)
 - Motion introducing and waiving the first reading of an Ordinance amending Section 1-3-8 of the Zoning Map to rezone 22.6 acres from Specific Plan Zone (SP), to Planned Development Zone P-D(617), property located at the northwest corner of Pelandale Avenue and American Avenue (Lennar Homes of California, LLC.).

CED; Katharine Martin, 209-577-5267, kamartin@modestogov.com

ACTION: (Escutia-Braaton/Wright; 7/0) Resolution 2025-084 approving a Development Plan for Planned Development Zone P-D(617).

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-085 adopting a Mitigated Negative Declaration for a rezone of 22.6 acres from Specific Plan (SP) Zone to Planned Development Zone P-D(617)

ACTION: (Williams/Escutia-Braaton; 7/0) Motion introducing and waiving the first reading of an **Ordinance 3790-C.S.** amending Section 1-3-8 of the Zoning Map to rezone 22.6 acres from Specific Plan Zone (SP), to Planned Development Zone P-D(617), property located at the northwest corner of Pelandale Avenue and American Avenue (Lennar Homes of California, LLC.).

Published in the Modesto Bee on February 21, 2025.

7. Hearing to consider approving the application and issuance of a Permit to operate as a Non-Emergency Medical Transport Company to Allstar Ambulance the City of Modesto. (Funding Source: General Fund)
- Resolution approving the application and issuance of a Permit to operate as a Non-Emergency Medical Transport Company to Allstar Ambulance in the City of Modesto.

POLICE DEPARTMENT; Kalani Souza, 209-572-9500, souzak@modestopd.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-086 approving the application and issuance of a Permit to operate as a Non-Emergency Medical Transport Company to Allstar Ambulance in the City of Modesto.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:15 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
SPECIAL APPOINTMENTS COMMITTEE / COUNCIL
WORKSHOP

2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Wednesday, March 05, 2025 at 4:00 PM

Roll Call: Present: Vice-Chair Escutia-Braaton, Committee Member Williams, Alternate
Committee Member Zwahlen

Absent: Chair Alvarez

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

NEW BUSINESS

1. Consider accepting the 2024 Annual Report of the City’s Citizen Advisory Boards, Commissions, and Committees, and forwarding to Council for acceptance. (Funding Source: Not Applicable)

- Motion accepting the 2024 Annual Report of the City’s Citizen Advisory Boards, Commissions and Committees and forwarding to Council for acceptance.

CITY MANAGER; Allison Van Guilder, 209-577-5228, avanguilder@modestogov.com

ACTION: (Williams/Zwahlen; 3/0) Motion accepting the 2024 Annual Report of the City’s Citizen Advisory Boards, Commissions and Committees and forwarding to Council for acceptance.

2. Consider the appointment of four vacancies to the City of Modesto Blight Abatement Advisory Committee for a four-year term with an expiration date of December 31, 2028, and forwarding to Council for approval. (Funding Source: Not Applicable)

- Motion recommending the appointment of four vacancies to the Committee for a four-year term with an expiration date of December 31, 2028, and forwarding to Council for approval.

PUBLIC WORKS; Myriah Hill, 209-577-5495, mhill@modestogov.com

ACTION: (Williams/Escutia-Braaton; 3/0) Motion recommending the appointments of Jack Leguria, Joshua Navarro, Jeremy Brown, and Kathryn Boyer-Hall to the

Committee for a four-year term with an expiration date of December 31, 2028, and forwarding to Council for approval.

3. Consider the appointment of Christopher Fox to the Modesto City-County Airport Advisory Committee for a four-year term with an expiration date of June 30, 2029, and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the appointment of Christopher Fox to the Airport Advisory Committee for the position of Public-At-Large for a four-year term with an expiration date of June 30, 2029, and forwarding to Council for approval.

PUBLIC WORKS; Marisol Navarro, 209-577-5319, marnavarro@modestogov.com

ACTION: (Williams/Zwahlen; 3/0) Motion recommending the appointment of Christopher Fox to the Airport Advisory Committee for the position of Public-At-Large for a four-year term with an expiration date of June 30, 2029, and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:35 P.M.

Attest: _____
Diane Nayares-Perez, City Cler

MINUTES
City of Modesto
SAFETY AND COMMUNITIES COMMITTEE / COUNCIL
WORKSHOP

2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, March 10, 2025 at 4:00 PM

Roll Call: Present: Vice-Chair Ricci, Committee Member Escutia-Braaton,
Also Present: Alternate Member Bavaro
Absent: Chair Williams

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-2; (Escutia-Braaton/Bavaro; 3/0)

CONSENT

Consent

1. Consider a First Amendment to the Agreement with FlowWest, LLC. for additional tasks related to Environmental Documentation, Permitting, Construction Documentation and Bidding & Construction Support for the Tuolumne River Regional Park (TRRP) Gateway Parcel River Overlook Project, for a new total amount not to exceed \$307,393 and forwarding to Council for approval. (Funding Source: Federal High Priority Demonstration Funds, California River Parkways Grant Program, TRRP CIP Fund)
 - Motion recommending a First Amendment to the Agreement with FlowWest, LLC, for additional tasks related to Environmental Documentation, Permitting, Construction Documentation and Bidding & Construction Support for the Tuolumne River Regional Park (TRRP) Gateway Parcel River Overlook Project, increasing the Agreement amount by \$132,701, to a new total amount not to exceed \$256,161, plus \$51,232 in additional services, if needed, for a total amount not to exceed \$307,393 and forwarding to Council for approval.
ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 3/0) Motion recommending a First Amendment to the Agreement with FlowWest, LLC, for additional tasks related to Environmental Documentation, Permitting, Construction Documentation and

Bidding & Construction Support for the Tuolumne River Regional Park (TRRP) Gateway Parcel River Overlook Project, increasing the Agreement amount by \$132,701, to a new total amount not to exceed \$256,161, plus \$51,232 in additional services, if needed, for a total amount not to exceed \$307,393 and forwarding to Council for approval.

Consent

2. Consider the Sole Source Agreement for the purchase of Vehicle Disablement Systems with MobileSpike Technologies Inc., Longview, WA for a total amount not to exceed \$750,000 over five years and forwarding to Council for approval. (Funding Source: Fleet Fund)

- Motion recommending the Sole Source Agreement for the purchase of MobileSpike Vehicle Disablement Systems with MobileSpike Technologies Inc., Longview, WA, for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$150,000, and a total amount not to exceed \$750,000 over five years; and forwarding to Council for approval.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 3/0) Motion recommending the Sole Source Agreement for the purchase of MobileSpike Vehicle Disablement Systems with MobileSpike Technologies Inc., Longview, WA, for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$150,000, and a total amount not to exceed \$750,000 over five years; and forwarding to Council for approval.

NEW BUSINESS

3. Consider an Agreement with American Medical Response West, Modesto, CA for reimbursement of costs for First Responder Services, and forwarding to Council for approval. (Funding Source: General Fund)

- Motion recommending an Agreement with American Medical Response West, Modesto, CA for reimbursement of costs for First Responder Services, and forwarding to Council for approval. **(MOTION REVISED BY COUNCILMEMBER RICCI)**

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Ricci/Escutia-Braaton; 3/0) Motion to bring the item back to Committee in April with more in-depth numbers in terms of the costs involved to respond to a call, and a report detailing how the numbers were determined.

4. Consider the Grant Acceptance for the Department of Energy, Energy Efficiency and Conservation Block Grant Program, in an amount not to exceed \$241,720; the Purchase of three Class 4, 5, and 6 electric vehicles, from Kingsburg Truck Center, Kingsburg CA for an amount not to exceed \$586,679 and forwarding to Council for approval. (Funding Source: Fleet Replacement Fund)

- Motion recommending the Grant Acceptance for the Department of Energy, Energy Efficiency and Conservation Block Grant voucher for an amount up to \$241,720 and forwarding to Council for approval.
- Motion recommending the Purchase of three Class 4, 5, and 6 electric vehicles, from Kingsburg Truck Center, Kingsburg CA for a total amount not to exceed \$509,912; and contingency Change Orders not to exceed 15% of the total purchase price and forwarding to Council for approval.

PUBLIC WORKS; Patrick Crowley, 209-402-6812, pcrowley@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 3/0) Motion recommending the Grant Acceptance for the Department of Energy, Energy Efficiency and Conservation Block Grant voucher for an amount up to \$241,720 and forwarding to Council for approval.

ACTION: (Escutia-Braaton/Bavaro; 3/0) Motion recommending the Purchase of three Class 4, 5, and 6 electric vehicles, from Kingsburg Truck Center, Kingsburg CA for a total amount not to exceed \$509,912; and contingency Change Orders not to exceed 15% of the total purchase price and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:41 P.M.

Attest: _____
Dana Sanchez, Assistant City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, March 11, 2025 at 5:30 PM

Special City Council - Closed Session Meeting 4:45 p.m.:

Roll Call – Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci, Williams,
Wright, Mayor Zwahlen

Absent: None

Regular City Council Meeting, 5:30 p.m.:

Roll Call – Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci, Williams,
Wright, Mayor Zwahlen

Absent: None

Pledge of Allegiance to the Flag

Invocation: Bill Kenoyer, Redeemer Church

City Clerk's Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: No reportable action.

PUBLIC COMMENT IN PERSON

- Betty Santos, Modesto resident, invited the Mayor and City Council to a "Cars and Coffee" event she organized in collaboration with the Modesto Police Department and Starbucks. She worked with a new local business, community members, and law enforcement to bring the event to life. The event welcomes classic cars, hot rods, lowriders, and car clubs. She encouraged Council Members to attend, highlighting efforts to secure donations for coffee, donuts, and pastries.
- Loretta Carhart spoke about an unexplained illness affecting memory, recalling memory lapses while working in the 1950s. She also questioned the ruling of her father's 1960s death as a suicide and raised concerns about medications causing amnesia. She urged officials to investigate similar cases.
- Danielle Morgart, representing Assemblyman Juan Alanis, provided a legislative update. She highlighted five bills being heard in committees this month, including AB 387 on

probation officers' jury service, AB 240 on higher education access, and three public safety bills. She encouraged officials to reach out with any questions.

- Kevin McClarty from District 1 raised concerns about the City Council's legislative process, questioning the disconnect between Council Members' public statements on social media and the official meeting agendas. He sought more transparency on how items are proposed, who initiates motions, and how decisions are made, emphasizing the need for clearer public insight into Council actions.
- Emerson Drake spoke on two issues. First, he criticized City Officials for disregarding a past voter decision against extending sewer and water lines north of Kiernan and pushing forward the Canal Warehouse project despite public opposition. Second, he raised concerns about what he believes are change to the Appointments Committee appointment process, and concerns with transparency on attendance records and skipping re-interviews for second terms limits accountability. He urged the Council to reinstate full disclosure of Committee Members' performance.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: (1, 3-4, 7-8; Wright/Williams; 7/0)

CONSENT

Consent

1. Consider approving the minutes for the March 4, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the March 4, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Williams; 7/0) Motion approving the minutes for the March 4, 2025 Council Meeting.

Removed from Consent

Consent

2. Consider approving Final Adoption of Ordinance 3790-C.S. amending Section 1-3-8 Of the Zoning Map to Rezone 22.6 Acres from Specific Plan (Sp), to Planned Development Zone, P-D(617), property located at the Northwest corner Of Pelandale Avenue and American Avenue (Lennar Homes Of California, LLC) (Funding Source: Not Applicable)
 - Motion approving Final Adoption of Ordinance 3790-C.S. amending Section 1-3-8 Of the Zoning Map to Rezone 22.6 Acres from Specific Plan (Sp), to Planned Development Zone, P-D(617), property located at the Northwest corner Of Pelandale Avenue and American Avenue (Lennar Homes Of California, LLC)
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Escutia-Braaton/Ricci; 7/0) Motion approving Final Adoption of Ordinance 3790-C.S. amending Section 1-3-8 Of the Zoning Map to Rezone 22.6 Acres from Specific Plan (Sp), to Planned Development Zone, P-D(617), property located at the Northwest corner Of Pelandale Avenue and American Avenue (Lennar Homes Of California, LLC)

Consent

3. Consider approving the recommended budget adjustments to Fiscal Year 2024-25 Annual Operating and Capital Improvement Program Budgets. (Funding Source: Various Funds)
- Resolution amending Fiscal Year 2024-25 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager to take the necessary steps to implement the provisions of this Resolution.
- BUDGET; Stephan Christensen, 209-577-5390, schristensen@modestogov.com*

ACTION: (Wright/Williams; 7/0) Resolution 2025-087 amending Fiscal Year 2024-25 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager to take the necessary steps to implement the provisions of this Resolution.

Consent

4. Consider approving a Memorandum of Understanding with Archway Commons EAH II LP, Modesto, CA to reimburse the City \$170,000 and a Landscape Maintenance Agreement with the State of California Department of Transportation (CalTrans) for the construction and maintenance of a secondary Emergency Access Route connecting (APN: 029-009-037) to 9th Street. (Funding Source: Developer Funded)
- Resolution approving a Memorandum of Understanding with Archway Commons EAH II LP, Modesto, CA to reimburse the City \$170,000 for the construction and maintenance of a secondary Emergency Access Route connecting the project (APN: 029-009-037) to 9th Street and authorizing the City Manager, or his designee, to execute the Agreement.
 - Resolution approving a Landscape Maintenance Agreement with the California Department of Transportation (CalTrans) for the maintenance of the developed secondary Emergency Access Route on the State's right of way connecting the project (APN: 029-009-037) to 9th Street and authorizing the City Manager, or his designee, to execute the Agreement.
 - Resolution amending the Fiscal Year 2024-25 Annual Operating Fund budgets and Capital Improvement Project #101295 in the amount of \$170,000 to appropriate the funds for the Memorandum of Understanding with Archway Commons EAH II, LP for construction and maintenance of a secondary emergency access route and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.
- CED; Edgar Garcia, 209-571-5101, edgarcia@modestogov.com*

ACTION: (Wright/Williams; 7/0) Resolution 2025-088 approving a Memorandum of Understanding with Archway Commons EAH II LP, Modesto, CA to reimburse the

City \$170,000 for the construction and maintenance of a secondary Emergency Access Route connecting the project (APN: 029-009-037) to 9th Street and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Wright/Williams; 7/0) Resolution 2025-089 approving a Landscape Maintenance Agreement with the California Department of Transportation (CalTrans) for the maintenance of the developed secondary Emergency Access Route on the State's right of way connecting the project (APN: 029-009-037) to 9th Street and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Wright/Williams; 7/0) Resolution 2025-090 amending the Fiscal Year 2024-25 Annual Operating Fund budgets and Capital Improvement Project #101295 in the amount of \$170,000 to appropriate the funds for the Memorandum of Understanding with Archway Commons EAH II, LP for construction and maintenance of a secondary emergency access route and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.

Removed from Consent

Consent

5. Consider approving a Subtrunk Sewer Reimbursement Agreement with KB Home North Bay LLC for the construction of the Sonoma Sewer Trunk Extension Phase 3 & 4A Project. (Funding Source: Sewer Fund)
 - Resolution approving a Subtrunk Sewer Reimbursement Agreement with KB Home North Bay LLC for the construction of the Sonoma Sewer Trunk Extension Phase 3 & 4A Project and authorizing the City Manager, or his designee, to execute the Agreement.

ENGINEERING SERVICES; Jaspreet Mangat, 209-577-5253, jmangat@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-091 approving a Subtrunk Sewer Reimbursement Agreement with KB Home North Bay LLC for the construction of the Sonoma Sewer Trunk Extension Phase 3 & 4A Project and authorizing the City Manager, or his designee, to execute the Agreement.

Removed from Consent

Consent

6. Consider approving the Plans and Specifications for the 2024 Restroom Replacement Project, accepting the Bid and Awarding a Construction Contract to Platinum General Engineering, LLC, of Waterford, CA., in the amount not to exceed \$574,492. (Funding Source: Measure H)
 - Resolution approving the Plans and Specifications for the 2024 Restroom Replacement Project, accepting the Bid and Awarding a Construction Contract to Platinum General Engineering, LLC, of Waterford, CA., in the amount of \$522,266, authorizing \$52,226 for contingency (if needed), for a total payment amount not to exceed \$574,492, and authorizing the City Manager, or his designee, to execute the Agreement.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Williams/Escutia-Braaton; 7/0) Resolution 2025-092 approving the Plans and Specifications for the 2024 Restroom Replacement Project, accepting the Bid and Awarding a Construction Contract to Platinum General Engineering, LLC, of Waterford, CA., in the amount of \$522,266, authorizing \$52,226 for contingency (if needed), for a total payment amount not to exceed \$574,492, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

- 7. Consider accepting an Informational Report for the January 2025 Accounts Payable Payment Register and Void Report. (Funding Source: Not Applicable)
 - Motion accepting an Informational Report for the January 2025 Accounts Payable Payment Register and Void Report.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Wright/Williams; 7/0) Motion accepting an Informational Report for the January 2025 Accounts Payable Payment Register and Void Report.

Consent

- 8. Consider approving the purchase of four Compact Front (Wheel) Loader with Caterpillar Inc. under the authorized dealer, Holt of California, Modesto, CA for a total amount not to exceed \$591,340. (Funding Source: Fleet Replacement Fund)
 - Resolution approving the Competitive Bidding Process from Sourcewell to purchase four Compact Front (Wheel) Loader with Caterpillar Inc. under the authorized dealer, Holt of California, Modesto, CA, for an original purchase price in the amount of \$626,380 including a price reduction of \$35,040 due to rental fees for a revised purchase price in the amount not to exceed \$591,340; and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-093 approving the Competitive Bidding Process from Sourcewell to purchase four Compact Front (Wheel) Loader with Caterpillar Inc. under the authorized dealer, Holt of California, Modesto, CA, for an original purchase price in the amount of \$626,380 including a price reduction of \$35,040 due to rental fees for a revised purchase price in the amount not to exceed \$591,340; and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

COUNCIL COMMENTS & REPORTS

Council Member Escutia-Braaton highlighted ongoing community workshops for Modesto’s Parks and Recreation Master Plan. She attended the first well-attended session, where residents

provided input on park maintenance and development. She encouraged participation in two upcoming workshops and directed residents to Modesto's website for more information.

Council Member Williams recapped several community events. He praised the mayor's presentation at Catalyst and highlighted a housing workshop at the Veterans Center. He attended a hospice dedication, participated in a 5K event supporting local police, and noted the passing of longtime MJC faculty member Steve Collins. He also recognized Pastor Jimmy Wilson's swearing-in as the third pastor of Second Baptist Church in 139 years.

Council Member Ricci discussed several important topics. He encouraged participation in the parks master plan meetings, highlighting their importance for the future of the city's parks. He shared good news about the upcoming resurfacing of Kansas Avenue, expected to begin this summer. He also mentioned efforts to address the community's feral cat issue, including plans to meet with the Stanislaus Animal Services Agency. Lastly, he expressed concern over drivers speeding over 100mph in Modesto, emphasizing the need for continued efforts to reduce speeding.

Council Member Alvarez highlighted several upcoming events. He encouraged attendance at the Parks and Recreation Master Plan workshop on March 12th, emphasized a household hazardous waste collection event on March 15th, and shared the success of the Spring Health Fair, which served 70 families. He also promoted the Tech Champions Workshop on March 13th, offering small businesses strategies for integrating new technologies to reduce costs and save time. Alvarez is a longtime member of both the California Hispanic Chambers of Commerce and the Stanislaus Latino Chamber of Commerce.

Vice-Mayor Bavaro shared several updates, including an upcoming council workshop on March 26th to discuss a soccer stadium and smoke shops. He also mentioned the Friends of Hospice Gala on May 10th, their major fundraiser. Bavaro attended the Modesto Police Officers Association Board meeting, where he listened to concerns about improving community safety. He also praised the event's lunch and noted the productive discussions.

Mayor Zwahlen appreciated everyone's service to the community and shared her involvement in a Q&A session with Scouts for Scouting America at Saint Joseph's Parish Hall, where she answered questions from about 50 young scouts. She also invited everyone to the State of the City address on Tuesday at the Gallo Center for the Arts at 5:30 p.m., which will provide updates, including information about Measure H funds.

CITY MANAGER COMMENTS & REPORTS

None.

HEARINGS

Published in the Modesto Bee on February 14, 2025. - Item requested to be continued from February 25, 2025 Council meeting.

9. Hearing to consider approving an application for a Conditional Use Permit and Operating Agreement by Outfront Media to allow a digital freeway billboard located on the east side of State Highway 99 and south of Evergreen Avenue, located at 2024 W. Orangeburg Avenue. (Funding Source: Application Fee)
- Resolution approving an Operating Agreement between the City of Modesto and Outfront Media LLC, for the installation of a digital freeway billboard on property located at 2024 W. Orangeburg Avenue and authorizing the City Manager or his designee to execute the Agreement.
 - Resolution approving a Conditional Use Permit for a digital freeway billboard located at 2024 W. Orangeburg Avenue (Outfront Media).

CED; Edwin Borquez, 209-577-5516, eborquez@modestogov.com

ACTION: (Alvarez/Wright; 7/0) Resolution 2025-094 approving an Operating Agreement between the City of Modesto and Outfront Media LLC, for the installation of a digital freeway billboard on property located at 2024 W. Orangeburg Avenue and authorizing the City Manager or his designee to execute the Agreement.

ACTION: (Alvarez/Wright; 7/0) Resolution 2025-095 approving a Conditional Use Permit for a digital freeway billboard located at 2024 W. Orangeburg Avenue (Outfront Media).

Published in the Modesto Bee on February 28, 2025.

10. Hearing to consider establishing City of Modesto Community Facilities District (CFD) No. 2025-1 (Kiernan Business Park South #2), to replace City of Modesto Community Facilities District No. 2012-1 (Kiernan Business Park South), authorizing the levy of special taxes therein, calling a special election; and declaring the results of the March 11, 2025 special election. (Funding Source: Developer Deposits)
- Resolution declaring the formation of City of Modesto Community Facilities District No. 2025-1 (Kiernan Business Park South #2), conditionally authorizing the levy of special taxes therein.
 - Resolution of the City Council of the City of Modesto, California, acting as the legislative body of the City of Modesto Community Facilities District No. 2025-1 (Kiernan Business Park South #2), calling for a special election.
 - Resolution declaring the results of March 11, 2025, special election and approving certain related actions pertaining to City of Modesto Community Facilities District No. 2025-1 (Kiernan Business Park South #2).
 - Motion introducing and waiving the first reading of an Ordinance authorizing the levy of special taxes within the City of Modesto held within City of Modesto Community Facilities District No. 2025-1 (Kiernan Business Park South #2).
 - Motion introducing and waiving the first reading of an Ordinance in connection with City of Modesto Community Facilities District No. 2012-1 (Kiernan Business Park South), authorizing the cessation of the levy of related special taxes and the extinguishment and cancellation of all related liens, and dissolving said Community Facilities District.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Escutia-Braaton/Williams; 7/0) Resolution 2025-096 declaring the formation of City of Modesto Community Facilities District No. 2025-1 (Kiernan Business Park South #2), conditionally authorizing the levy of special taxes therein.

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-097 of the City Council of the City of Modesto, California, acting as the legislative body of the City of Modesto Community Facilities District No. 2025-1 (Kiernan Business Park South #2), calling for a special election.

ACTION: (Williams/Ricci; 7/0) Resolution 2025-098 declaring the results of March 11, 2025, special election and approving certain related actions pertaining to City of Modesto Community Facilities District No. 2025-1 (Kiernan Business Park South #2).

ACTION: (Ricci/Escutia-Braaton; 7/0) Motion introducing and waiving the first reading of an Ordinance 3791-C.S. authorizing the levy of special taxes within the City of Modesto held within City of Modesto Community Facilities District No. 2025-1 (Kiernan Business Park South #2).

ACTION: (Wright/Alvarez; 7/0) Motion introducing and waiving the first reading of an Ordinance 3792-C.S. in connection with City of Modesto Community Facilities District No. 2012-1 (Kiernan Business Park South), authorizing the cessation of the levy of related special taxes and the extinguishment and cancellation of all related liens, and dissolving said Community Facilities District.

Recessed: 6:56 P.M.

Resumed: 7:01 P.M.

NEW BUSINESS

11. Consider approving the Purchasing Agreement for Renewable Diesel and Bulk Fuels to Hunt & Sons, LLC, Sacramento, CA, for a total amount not to exceed \$18,750,000 over five years. (Funding Source: Various Funds)
 - Resolution approving the Purchasing Agreement for Renewable Diesel and Bulk Fuels to Hunt & Sons, LLC, Sacramento, CA, for a total amount not to exceed \$18,750,000 over five years; and authorizing the Director of Finance, or her designee, to execute the Agreement.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Bavaro/Ricci; 7/0) Resolution 2025-099 approving the Purchasing Agreement for Renewable Diesel and Bulk Fuels to Hunt & Sons, LLC, Sacramento, CA, for a total amount not to exceed \$18,750,000 over five years; and authorizing the Director of Finance, or her designee, to execute the Agreement.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:13 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

All Closed Session Matters heard prior to the meeting.

CLOSED SESSION

1. Consider appointing Real Property Negotiator Joseph P. Lopez, City Manager for Properties:
APN: 106-043-010

Motion appointing Real Property Negotiator Joseph P. Lopez, City Manager for
Properties: **APN: 106-043-010**
City Attorney, Jose M. Sanchez, 577-5284, jsanchez@modestogov.com

ACTION: (Alvarez/Ricci; 7/0) Motion appointing Real Property Negotiator Joseph P.
Lopez, City Manager for Properties: **APN: 106-043-010**

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

(Pursuant to Section 54956.8 of the Government Code)

Property: 624 9th Street; APN 106-043-010
Delinquent Property Tax Sale – Public Auction

Property Owners: Arakelian Stephen J & Noma J

Negotiating Parties:

For City: Joseph P. Lopez, City Manager

For County/Owners: Donna Riley, Treasurer – Tax Collector

Under Negotiation: Price and Terms of Purchase

MINUTES

STATE OF THE CITY ADDRESS

**City of Modesto
Special City Council Meeting
Tuesday, March 18, 2025, at 5:30 pm
Gallo Center for the Arts
1000 I Street
Modesto, California**

Roll Call – Present: Councilmembers Bavaro, Escutia-Braaton, Alvarez, Ricci, Williams,
Wright, Mayor Zwahlen
Absent: None

STATE OF THE CITY ADDRESS

Mayor Zwahlen gave a presentation on the state of the city.

PUBLIC COMMENT IN PERSON

Members of the public came forward to provide public comment.

ADJOURNMENT

This meeting adjourned at 6:30 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
FINANCE COMMITTEE / COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, March 24, 2025 at 4:00 PM

Roll Call: Present: Committee Member Bavaro, Vice-Chair Wright, and Chair
Escutia-Braaton
Absent: None

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-8 (Wright/Bavaro; 3/0)

CONSENT

Consent

1. Consider the recommended budget adjustments to Fiscal Year 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval. (Funding Source: Various Funds)

- Motion recommending the budget adjustments to 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.

BUDGET; Steve Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the budget adjustments to 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.

Consent

2. Consider the Grant Applications, Grant Awards and amending the annual budgets for all Waste Tire Amnesty Grants to California Department of Resources and Recovery; and forwarding to Council for approval. (Funding Source: Not Applicable)

- Motion recommending the Grant Applications, Grant Awards and amending the annual budgets for all Waste Tire Amnesty Grants to California Department of Resources and Recovery; and forwarding to Council for approval.

PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Grant Applications, Grant Awards and amending the annual budgets for all Waste Tire Amnesty Grants to California Department of Resources and Recovery; and forwarding to Council for approval.

Consent

3. Consider the Grant Applications, Grant Awards and amending the annual budgets for all Waste Tire Cleanup Grants to California Department of Resources and Recovery; and forwarding to Council for approval. (Funding Source: Not Applicable)
- Motion recommending the Grant Applications, Grant Awards and amending the annual budgets for all Waste Tire Cleanup Grants to California Department of Resources and Recovery; and forwarding to Council for approval.
- PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com*

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Grant Applications, Grant Awards and amending the annual budgets for all Waste Tire Cleanup Grants to California Department of Resources and Recovery; and forwarding to Council for approval.

Consent

4. Consider the Grant Applications, Grant Awards and amending the annual budgets for all Waste Tire Enforcement Grants to California Department of Resources and Recovery; and forwarding to Council for approval. (Funding Source: Not Applicable)
- Motion recommending the Grant Applications, Grant Awards and amending the annual budgets for all Waste Tire Enforcement Grants to California Department of Resources and Recovery; and forwarding to Council for approval.
- PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com*

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Grant Applications, Grant Awards and amending the annual budgets for all Waste Tire Enforcement Grants to California Department of Resources and Recovery; and forwarding to Council for approval.

Consent

5. Consider the increase of Purchase Order #229342 with PB Loader, Fresno, CA by \$14,728 for two dump trucks and forwarding to Council for approval. (Funding Source: Fleet Replacement Fund)
- Motion recommending the increase of a Purchase Order #229342 with PB Loader, Fresno, CA for two dump trucks by \$14,728 for a revised total amount not to exceed \$307,655 and forwarding to Council for approval.
- PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com*

ACTION: (Wright/Bavaro; 3/0) Motion recommending the increase of a Purchase Order #229342 with PB Loader, Fresno, CA for two dump trucks by \$14,728 for a revised total amount not to exceed \$307,655 and forwarding to Council for approval.

Consent

6. Consider the First Amendment to the Purchasing Agreements for the purchase of equipment and vehicle parts and services with CenCal Auto and Truck Parts, Modesto, CA and Rush Truck Center, Ceres, CA for an annual combined estimated cost increase of \$340,000 for a total amount not to exceed \$2,867,550 over a 5-year period and forwarding to Council for approval. (Funding Source: Fleet Management Fund)
- Motion recommending the First Amendments for the Agreements with CenCal Auto and Truck Parts, Modesto, CA and Rush Truck Centers, Ceres, CA for the purchase of Equipment and Vehicle Parts and Services for the Agreements for an annual estimated cost increase of \$340,000 from \$200,000 to \$540,000 and total revised not to exceed a total amount of \$2,867,550 and forwarding to Council for approval.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the First Amendments for the Agreements with CenCal Auto and Truck Parts, Modesto, CA and Rush Truck Centers, Ceres, CA for the purchase of Equipment and Vehicle Parts and Services for the Agreements for an annual estimated cost increase of \$340,000 from \$200,000 to \$540,000 and total revised not to exceed a total amount of \$2,867,550 and forwarding to Council for approval.

Consent

7. Consider the First Amendment with Champion Industrial Contractors, Inc. Modesto, CA for On-Call Mechanical and Refrigeration Services, increasing the Agreement amount by \$420,000 to a new total of \$1,210,505 and forwarding to Council for approval. (Funding Source: General Fund, Utility Funds, and Building Maintenance Fund)
- Motion recommending the First Amendment with Champion Industrial Contractors, Inc. Modesto, CA for the On-Call Mechanical and Refrigeration Services, increasing the Agreement amount by \$420,000 to a new total amount of \$1,210,505 over five years; and forwarding to Council for approval.

PUBLIC WORKS; Gabe DaSilva, 209-342-2281, gdasilva@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the First Amendment with Champion Industrial Contractors, Inc. Modesto, CA for the On-Call Mechanical and Refrigeration Services, increasing the Agreement amount by \$420,000 to a new total amount of \$1,210,505 over five years; and forwarding to Council for approval.

Consent

8. Consider an update to the City of Modesto Sewer System Management Plan and forwarding to Council for approval. (Funding Source: Sewer Operations Fund)
- Motion recommending the updates to the City of Modesto Sewer System Management Plan; and forwarding to Council for approval.

UTILITIES; Jeff Daniels, 209-577-6255, jdaniels@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the updates to the City of Modesto Sewer System Management Plan; and forwarding to Council for approval.

NEW BUSINESS

9. Consider the informational Fiscal Year 2024-25 General Fund Mid-Year Update Report and recommended adjustments to the major General Fund revenues and expenditures and forwarding to Council for acceptance and approval. (Funding Source: General Fund)
- Motion accepting the informational Fiscal Year 2024-25 General Fund Mid-Year Update Report and recommended adjustments to the major General Fund revenues and expenditures and forwarding to Council for acceptance and approval.

BUDGET; Steve Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion accepting the informational Fiscal Year 2024-25 General Fund Mid-Year Update Report and recommended adjustments to the major General Fund revenues and expenditures and forwarding to Council for acceptance and approval.

10. Consider the 2025-2026 State and Federal Legislative Priorities and forwarding to Council for approval. (Funding Source: Not Applicable)
- Motion recommending the 2025-2026 State and Federal Legislative Priorities and forwarding to Council for approval.

CITY MANAGER; Sonya Severo, 209-571-5809, ssevero@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the 2025-2026 State and Federal Legislative Priorities and forwarding to Council for approval.

11. Consider Agreements for the furnishing of Citywide Fuel-Card Lock services with Stan Boyett & Son, Inc. dba Boyett Petroleum, Modesto, CA; and Hunt & Sons, Inc., Ceres, CA for a total amount between all Agreements combined not to exceed \$23,198,063 over five years and forwarding to Council for approval. (Funding Source: Fleet Fund, Outside Fire Contracts, and Stanislaus Regional Transit Authority)
- Motion recommending the Award of Bids and Agreements for the furnishing of Fuel-Card Lock Services with Stan Boyett & Son, Inc. dba Boyett Petroleum, Modesto, CA; and Hunt & Sons, Inc., Ceres, CA for an annual combined estimated total of \$4,500,000 and a total amount between all Agreements combined not to exceed \$23,198,063 over five years and forwarding to Council for approval.
11. Consider Agreements for the furnishing of Citywide Fuel-Card Lock services with Stan Boyett & Son, Inc. dba Boyett Petroleum, Modesto, CA; and Hunt & Sons, Inc., Ceres, CA for a total amount between all Agreements combined not to exceed \$23,198,063 over five years and forwarding to Council for approval. (Funding Source: Fleet Fund, Outside Fire Contracts, and Stanislaus Regional Transit Authority)
- Motion recommending the Award of Bids and Agreements for the furnishing of Fuel-Card Lock Services with Stan Boyett & Son, Inc. dba Boyett Petroleum, Modesto, CA; and Hunt & Sons, Inc., Ceres, CA for an annual combined estimated total of \$4,500,000 and a total amount between all Agreements

combined not to exceed \$23,198,063 over five years and forwarding to Council for approval.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Bavaro/Wright; 3/0) Motion recommending the Award of Bids and Agreements for the furnishing of Fuel-Card Lock Services with Stan Boyett & Son, Inc. dba Boyett Petroleum, Modesto, CA; and Hunt & Sons, Inc., Ceres, CA for an annual combined estimated total of \$4,500,000 and a total amount between all Agreements combined not to exceed \$23,198,063 over five years and forwarding to Council for approval.

12. Consider the acceptance of the Plans and Specifications for the Sewer Trunk Rehabilitation on Grimes, Mercy and Woodland Project, accepting the Bid and Awarding a Construction Contract to SAK Construction, LLC, of O’Fallon, MO, in the amount of \$22,830,295, authorizing 12% in contingency (if needed), for a total payment amount not to exceed \$25,569,931 and forwarding to Council for approval. (Funding Source: Wastewater Fund)

- Motion recommending the acceptance of the Plans and Specifications for the Sewer Trunk Rehabilitation on Grimes, Mercy and Woodland Project; accepting the Bid and Awarding a Construction Contract to SAK Construction, LLC, of O’Fallon, MO, in the amount of \$22,830,295, authorizing the Director of Engineering Services to approve Change Orders up to the cumulative amount of \$2,739,636, 12% of the original Contract price, for a total payment amount not to exceed \$25,569,931 and forwarding to Council for approval.
- Motion recommending an amendment to the Fiscal Year 2024-25 Multi-Year Program Budget in the amount of \$26,823,000 to fund the Construction Phase of the Sewer Trunk Rehabilitation on Grimes, Mercy and Woodland Project and forwarding to Council for approval.

UTILITIES; Cristian Ciotau, 209-571-5175, cciotau@modestogov.com

ACTION: (Bavaro/Wright; 3/0) Motion recommending the acceptance of the Plans and Specifications for the Sewer Trunk Rehabilitation on Grimes, Mercy and Woodland Project; accepting the Bid and Awarding a Construction Contract to SAK Construction, LLC, of O’Fallon, MO, in the amount of \$22,830,295, authorizing the Director of Engineering Services to approve Change Orders up to the cumulative amount of \$2,739,636, 12% of the original Contract price, for a total payment amount not to exceed \$25,569,931 and forwarding to Council for approval.

ACTION: (Bavaro/Wright; 3/0) Motion recommending an amendment to the Fiscal Year 2024-25 Multi-Year Program Budget in the amount of \$26,823,000 to fund the Construction Phase of the Sewer Trunk Rehabilitation on Grimes, Mercy and Woodland Project and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:54 p.m.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
SPECIAL CITY COUNCIL MEETING
Arbor Theatre, Modesto Centre Plaza
1001 K Street
Modesto, California
Wednesday, March 26, 2025, at 8:30 AM - 3:00 PM
[Lunch Recess: 11:30 am -1:00 pm]

Roll Call Present: Councilmembers Alvarez (arrived at 9:36 am), Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen

Absent: None

Conflict of Interest: Councilmember Williams - Item 1

PUBLIC COMMENT

- Emerson Drake expressed concerns regarding public participation and accessibility at City meetings. He criticized the City Council for its handling of the Salida annexation issue, stating that the Council did not engage directly with Salida residents. He also raised concerns about transparency and decision-making processes, referencing the involvement of a developer.
- Alexis Chavez, voiced support for bringing a professional soccer team to the city, emphasizing the economic and community benefits. He proposed The Fields by John Truman Field as a potential stadium location due to its accessibility and proximity to the freeway. He encouraged the Council to consider the positive impact of a local team on youth and community pride.

NEW BUSINESS

Councilmember Williams Recused

1. Update regarding the expansion of the United Soccer League (USL) into the City of Modesto and potential locations for a soccer stadium and sports district. (Funding Source: Not Applicable)

Staff Recommendation:

- Receive update regarding the expansion of the United Soccer League (USL) into the City of Modesto and to discuss and provide staff with direction regarding potential locations for a soccer stadium and sports district.

CITY MANAGER; Joseph Lopez, 209-577-5223, joelopez@modestogov.com

The item was presented. Council and staff discussed the item.

Recessed at 10:15 am

Reconvened 10:20 am

Mayor Zwahlen invited public comment on this matter. Several members of the public commented on this item.

ACTION: (Escutia-Braaton/Wright; 6/0; Williams recused) Motion directing staff to focus on both the Downtown North Site, and the Municipal Golf Course Site and directing staff to gather further data and come back at a later workshop to review before the September Letter of Intent deadline.

[Lunch Recess: 11:30 am -1:00 pm]

- 2. Discussion of potential updates to the Modesto Municipal Code regarding Smoke Shop regulations. (Funding Source: Not Applicable)

Staff Recommendation:

- Discuss and provide staff with direction regarding potential updates to the Modesto Municipal Code regarding Smoke Shop regulations.

CITY MANAGER; Joseph Lopez, 209-577-5223, joelopez@modestogov.com

The item was presented. Council and staff discussed the item.

Councilmember Alvarez departed the meeting at 1:55 pm.

Recessed at 2:05 pm

Reconvened 2:10 pm

Mayor Zwahlen invited public comment on this matter. Several members of the public commented on this item.

ACTION: No formal action. Council discussed and provided direction to staff on potential updates to the Modesto Municipal Code regarding Smoke Shop regulations.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 2:56 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
ECONOMIC DEVELOPMENT COMMITTEE
COUNCIL WORKSHOP
2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, April 07, 2025 at 4:00 PM

Roll Call: Present: Vice-Chair Zwahlen, Committee Member Bavaro
Also Present: Alternate Member Williams
Absent: Chair Alvarez

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-2 (Bavaro/Williams; 3/0)

CONSENT

Consent

1. Consider a Purchasing Agreement with Telcion Communications Group, Turlock, CA, for ethernet switch equipment for a total amount not to exceed \$2,025,000 over three years with two one-year extension options and forwarding to Council for approval.
(Funding Source: Measure L)
 - Motion recommending a Purchasing Agreement with Telcion Communications Group, Turlock, CA, for ethernet switch equipment for a total amount not to exceed \$2,025,000 over three years with two one-year extension options and forwarding to Council for approval.

PUBLIC WORKS; Max Navarro, 209-571-5116, manavarro@modestogov.com

ACTION: (Bavaro/Williams; 3/0) Motion recommending a Purchasing Agreement with Telcion Communications Group, Turlock, CA, for ethernet switch equipment for a total amount not to exceed \$2,025,000 over three years with two one-year extension options and forwarding to Council for approval.

Consent

- 2. Consider the Sole Source purchase of two Internalift Screw Pumps from Evoqua Water Technologies, of Thomasville, GA, for a total amount not to exceed \$3,411,840 and forwarding to Council for approval. (Funding Source: Wastewater Fund Reserves)
 - Motion recommending the Sole Source purchase of two Internalift Screw Pumps from Evoqua Water Technologies, of Thomasville, GA, for a total amount not to exceed \$3,411,840, and forwarding to Council for approval.
 - Motion amending the Fiscal Year 2024-25 Non-Capital Improvements Program budget to increase Project 101439 – Screw Pumps Replacement by \$3,386,840, from \$25,000 and forwarding to Council for approval.

UTILITIES; Jeff Daniels, 209-577-6255, jdaniels@modestogov.com

ACTION: (Bavaro/Williams; 3/0) Motion recommending the Sole Source purchase of two Internalift Screw Pumps from Evoqua Water Technologies, of Thomasville, GA, for a total amount not to exceed \$3,411,840, and forwarding to Council for approval.

ACTION: (Bavaro/Williams; 3/0) Motion amending the Fiscal Year 2024-25 Non-Capital Improvements Program budget to increase Project 101439 – Screw Pumps Replacement by \$3,386,840, from \$25,000 and forwarding to Council for approval.

NEW BUSINESS

- 3. Consider a Public Highway at Grade Crossing Agreement for additional rights to the at grade public road crossing over B Street with Union Pacific Railroad Company for the 7th Street Bridge Project and forwarding to Council for approval. (Funding Source: Streets Capital Facility Fees)
 - Motion recommending a Public Highway at Grade Crossing Agreement for additional rights to the at grade public road crossing over B Street with Union Pacific Railroad Company for the 7th Street Bridge Project and forwarding to Council for approval.

ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Williams/Bavaro; 3/0) Motion recommending a Public Highway at Grade Crossing Agreement for additional rights to the at grade public road crossing over B Street with Union Pacific Railroad Company for the 7th Street Bridge Project and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:14 P.M.

Attest: _____
Reyna Mendoza, Deputy City Clerk

MINUTES
City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, April 08, 2025 at 5:30 PM

Special City Council - Closed Session Meeting 4:30 p.m.:

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting, 5:30 p.m.:

Roll Call – Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci, Williams,
Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: Lance Lowell, Neighborhood Church

City Clerk’s Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: No reportable action

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation from Senator Alvarado-Gil to bestow the "Woman of the Year" Award to Debi Zeer, volunteer Chaplain for the Modesto Police Department. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com
ACTION: Senator Alvarado-Gil presented the "Woman of the Year" Award to Debi Zeer, volunteer Chaplain for the Modesto Police Department.

2. Proclamation declaring April as Donate Life Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com
ACTION: Mayor Zwahlen presented a proclamation declaring April as Donate Life Month.

3. Proclamation declaring April as Fair Housing Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented a proclamation declaring April as Fair Housing Month.

4. Proclamation declaring April as National Volunteer Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented a proclamation declaring April as National Volunteer Month.

5. Proclamation declaring April 22, 2025 as Earth Day. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented a proclamation declaring April 22, 2025 as Earth Day.

MISCELLANEOUS

6. Consider accepting the resignation of Nancy Norton and Karen Adams from the Golf Courses Advisory Committee. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of Nancy Norton and Karen Adams from the Golf Courses Advisory Committee.

PRN; Jessica Franco, 209-577-5278, jefranco@modestogov.com

ACTION: (Wright/Ricci; 7/0) Resolution 2025-100 accepting the resignation of Nancy Norton and Karen Adams from the Golf Courses Advisory Committee.

7. Consider approving the appointment of Christopher Fox to the Modesto City-County Airport Advisory Committee for a four-year term with an expiration date of June 30, 2029. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointment of Christopher Fox to the Modesto City-County Airport Advisory Committee for the position of Public-At-Large for a four-year term with an expiration date of June 30, 2029.

PUBLIC WORKS; Marisol Navarro, 209-577-5319, marnavarro@modestogov.com

ACTION: (Williams/Wright; 7/0) Resolution 2025-101 approving the appointment of Christopher Fox to the Modesto City-County Airport Advisory Committee for the position of Public-At-Large for a four-year term with an expiration date of June 30, 2029.

8. Consider approving the appointment of four vacancies to the City of Modesto Blight Abatement Advisory Committee for a four-year term with an expiration date of December 31, 2028. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointments of Kathryn Hall-Boyer, Joshua Navarro, Jack Leguria, and Jeremy Brown to the Blight Abatement Advisory Committee for a four-year term with an expiration date of December 31, 2028.

PUBLIC WORKS; Myriah Hill, 209-577-5495, mhill@modestogov.com

ACTION: (Wright/Ricci; 7/0) Resolution 2025-102 approving the appointments of Kathryn Hall-Boyer, Joshua Navarro, Jack Leguria, and Jeremy Brown to the Blight Abatement Advisory Committee for a four-year term with an expiration date of December 31, 2028.

PUBLIC COMMENT IN PERSON

- Nancy Robinson, President of the Modesto Garden Club, announced the Spring Garden Tour on April 12th, the club's main fundraiser supporting scholarships. She also mentioned ongoing community gardening projects and two upcoming events: a vendor fair on May 3rd and a summer table viewing on June 11th.
- Danielle Morgart from Assemblyman Juan Alaniz's office provided a legislative update. Assemblyman Alaniz presented several bills this week, including AB 15 (California Propane Day), AB 873 (dental board requirements), AB 16 (election ballot counting), AB 17 (election maps), AB 240 (rural county community college study), and AB 528 (child sexual abuse material). She invited the Council to contact the office with any questions.
- Chris Aggers raised concerns about lack of follow-up from City officials on issues he reported, including fireworks enforcement and property maintenance. He criticized the city's focus on a proposed soccer stadium, citing past financial missteps, and urged the Council to prioritize essential services, prepare for an economic downturn, and avoid risky investments.
- Arthur Fabela, a West Modesto resident, expressed support for using the John Thurman Field site for the proposed stadium. He addressed traffic concerns and proposed extending Sunset Boulevard as a practical solution to improve traffic flow and emergency access. He emphasized the road's existing width and connectivity to major streets and the freeway, suggesting it is well-suited for supporting stadium traffic.
- Lino Ortega asked the City Council for clarification on the availability of funding for housing assistance programs like Section 8 and HUD in Modesto. He stated he has been on the housing waitlist since 2018 and requested support for seniors seeking affordable housing.
- Dominique Johnson, Executive Director of the Stanislaus Arts Council, thanked the Council for its support of the arts and invited members to upcoming events. She highlighted the Third Thursday Art Walk, which runs from February to October and has seen increasing attendance and economic impact. She also invited the Council to an emerging artist reception on April 26th.

- Kevin McClarty spoke about attending a recent event supporting Social Security, Medicare, and Medi-Cal. He thanked Modesto Police for allowing peaceful assembly but raised concerns about safety after a vehicle entered the crowd and performed dangerous maneuvers. He requested that future events include measures to restrict vehicle access to protect attendees.

Recessed at 6:43 P.M.

Reconvened at 6:50 P.M.

Councilmember Williams was excused from the rest of the meeting at 6:50 P.M.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 9-10, 12-28 (Wright/Ricci; 6/0)

CONSENT

Consent

9. Consider approving the minutes for the March 11, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the March 11, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Ricci; 6/0) Motion approving the minutes for the March 11, 2025 Council Meeting.

Consent

10. Consider approving Final Adoption of Ordinance 3791-C.S. authorizing the levy of special taxes within the City of Modesto held within City of Modesto Community Facilities District No. 2025-1 (Kiernan Business Park South #2). (Funding Source: Not Applicable)
 - Motion approving Final Adoption of Ordinance 3791-C.S. authorizing the levy of special taxes within the City of Modesto held within City of Modesto Community Facilities District No. 2025-1 (Kiernan Business Park South #2).
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Ricci; 6/0) Motion approving Final Adoption of Ordinance 3791-C.S. authorizing the levy of special taxes within the City of Modesto held within City of Modesto Community Facilities District No. 2025-1 (Kiernan Business Park South #2).

Removed from Consent

Consent

11. Consider approving Final Adoption of Ordinance 3792-C.S. in connection with City of Modesto Community Facilities District No. 2012-1 (Kiernan Business Park South), authorizing the cessation of the levy of related special taxes and the extinguishment and cancellation of all related liens, and dissolving said Community Facilities District. (Funding Source: Not Applicable)
 - Motion approving Final Adoption of Ordinance 3792-C.S. in connection with City of Modesto Community Facilities District No. 2012-1 (Kiernan Business

Park South), authorizing the cessation of the levy of related special taxes and the extinguishment and cancellation of all related liens, and dissolving said Community Facilities District.

CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Bavaro/Wright; 6/0) Motion approving Final Adoption of Ordinance 3792-C.S. in connection with City of Modesto Community Facilities District No. 2012-1 (Kiernan Business Park South), authorizing the cessation of the levy of related special taxes and the extinguishment and cancellation of all related liens, and dissolving said Community Facilities District.

Consent

12. Consider approving the purchase for Preservation of Historical City Council Records Services with Kofile Technologies, Inc., Sacramento, CA in the amount not to exceed \$101,649. (Funding Source: General Fund)

- Resolution approving the purchase for Preservation of Historical City Council Records Services with Kofile Technologies, Inc., Sacramento, CA in the amount not to exceed \$101,649; and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-103 approving the purchase for Preservation of Historical City Council Records Services with Kofile Technologies, Inc., Sacramento, CA in the amount not to exceed \$101,649; and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

Consent

13. Consider accepting the 2024 Annual Report of the City's Citizen Advisory Boards, Commissions, and Committees. (Funding Source: Not Applicable)

- Motion accepting the 2024 Annual Report of the City's Citizen Advisory Boards, Commissions and Committees.

CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Ricci; 6/0) Motion accepting the 2024 Annual Report of the City's Citizen Advisory Boards, Commissions and Committees.

Consent

14. Consider approving the 2025-2026 State and Federal Legislative Priorities. (Funding Source: Not Applicable)

- Resolution approving the 2025-2026 State and Federal Legislative Priorities.

CITY MANAGER; Sonya Severo, 209-571-5809, ssevero@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-104 approving the 2025-2026 State and Federal Legislative Priorities.

Consent

15. Consider accepting the informational Fiscal Year 2024-25 General Fund Mid-Year Update Report and approving the recommended budget adjustments to the major General Fund revenues and expenditures and amending Fiscal Year 2024-25 Annual Operating Budget. (Funding Source: General Fund)
- Resolution accepting the informational Fiscal Year 2024-25 General Fund Mid-Year Update Report and approving the recommended budget adjustments to the major General Fund revenues and expenditures amending the Fiscal Year 2024-25 Annual Operating Budget.

BUDGET; Steve Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-105 accepting the informational Fiscal Year 2024-25 General Fund Mid-Year Update Report and approving the recommended budget adjustments to the major General Fund revenues and expenditures amending the Fiscal Year 2024-25 Annual Operating Budget.

Consent

16. Consider approving the recommended budget adjustments to Fiscal Year 2024-25 Annual Operating and Capital Improvement Program Budgets. (Funding Source: Various Funds)
- Resolution amending Fiscal Year 2024-25 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.

BUDGET; Steve Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-106 amending Fiscal Year 2024-25 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.

Consent

17. Consider accepting the La Loma Phase 3A Strengthen & Replace Water Mains Project as complete, releasing securities, releasing payments totaling \$6,250,690 to United Pavement Maintenance Inc., of Hughson, CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: Water Fund)
- Resolution accepting the La Loma Phase 3A Strengthen & Replace Water Mains Project as complete, releasing securities, releasing payments totaling \$6,250,690 to United Pavement Maintenance Inc., of Hughson, California, and authorizing the City Clerk to file a Notice of Completion.

ENGINEERING SERVICES; Peter Kambel, 209-577-5444, pkambel@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-107 accepting the La Loma Phase 3A Strengthen & Replace Water Mains Project as complete, releasing securities, releasing payments totaling \$6,250,690 to United Pavement Maintenance Inc., of Hughson, California, and authorizing the City Clerk to file a Notice of Completion.

Consent

18. Consider accepting the Tuolumne River Regional Park Non-Motorized Boat Launch Project as complete, releasing securities, releasing payments totaling \$1,881,396 to Harris Builder, Inc. of Hilmar CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: TRRP CIP Fund, Park CFF Fund, and Non-Motorized Boating Facilities Grant Program Funds)
- Resolution accepting the Tuolumne River Regional Park Non-Motorized Boat Launch Project as complete, releasing securities, releasing payments totaling \$1,881,396 to Harris Builder, Inc. of Hilmar CA, and authorizing the City Clerk to file a Notice of Completion.
- ENGINEERING SERVICES; Peter Kambel, 209-577-5444, pkambel@modestogov.com*

ACTION: (Wright/Ricci; 6/0) Resolution 2025-108 accepting the Tuolumne River Regional Park Non-Motorized Boat Launch Project as complete, releasing securities, releasing payments totaling \$1,881,396 to Harris Builder, Inc. of Hilmar CA, and authorizing the City Clerk to file a Notice of Completion.

Consent

19. Consider accepting the Pelandale Avenue Pavement Rehabilitation – Dale Road to Detroit Lane STPL5059(242) Project as complete, releasing securities, releasing payments totaling \$2,269,156 to Pavement Coatings Co. of Sacramento, CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: Regional Surface Transportation Program (RSTP) and Local Measure L Funds)
- Resolution accepting the Pelandale Avenue Pavement Rehabilitation – Dale Road to Detroit Lane STPL 5059(242) Project as complete, releasing securities, releasing payments totaling \$2,269,156 to Pavement Coatings Co. of Sacramento, CA, and authorizing the City Clerk to file a Notice of Completion.
- ENGINEERING SERVICES; Peter Kambel, 209-577-5444, pkambel@modestogov.com*

ACTION: (Wright/Ricci; 6/0) Resolution 2025-109 accepting the Pelandale Avenue Pavement Rehabilitation – Dale Road to Detroit Lane STPL 5059(242) Project as complete, releasing securities, releasing payments totaling \$2,269,156 to Pavement Coatings Co. of Sacramento, CA, and authorizing the City Clerk to file a Notice of Completion.

Consent

20. Consider approving the Plans and Specifications for the Mary E. Grogan Community Park Parking Lot Resurfacing Project, accepting the Bid and Awarding a Construction Contract to DRT Grading & Paving, Inc. of Sunol, CA, in the amount not to exceed \$84,607. (Funding Source: Measure H)
- Resolution approving the Plans and Specifications for the Mary E. Grogan Community Park Parking Lot Resurfacing Project, accepting the Bid and Awarding a Construction Contract to DRT Grading & Paving, Inc. of Sunol, CA, in the amount of \$76,915, authorizing \$7,692 for contingency (if needed), for a total payment amount not to exceed \$84,607, and authorizing the City Manager, or his designee, to execute the Agreement.
- ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com*

ACTION: (Wright/Ricci; 6/0) Resolution 2025-110 approving the Plans and Specifications for the Mary E. Grogan Community Park Parking Lot Resurfacing Project, accepting the Bid and Awarding a Construction Contract to DRT Grading & Paving, Inc. of Sunol, CA, in the amount of \$76,915, authorizing \$7,692 for contingency (if needed), for a total payment amount not to exceed \$84,607, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

21. Consider approving the First Amendment with FlowWest, LLC., of Oakland, CA. for additional tasks related to Environmental Documentation, Permitting, Construction Documentation and Bidding & Construction Support for the Tuolumne River Regional Park (TRRP) Gateway Parcel River Overlook Project, increasing the Agreement amount by \$132,701, and increasing the contingency from 10% to 20%. (Funding Source: Federal High Priority Demonstration Funds, California River Parkways Grant Program, TRRP CIP Fund)

- Resolution approving a First Amendment to the Agreement with FlowWest, LLC. of Oakland, CA., for additional tasks related to Environmental Documentation, Permitting, Construction Documentation and Bidding & Construction Support for the Tuolumne River Regional Park (TRRP) Gateway Parcel River Overlook Project, increasing the Agreement amount by \$132,701, to a new total amount not to exceed \$256,161, plus \$51,232 in additional services, if needed, for a total amount not to exceed \$307,393, and authorizing the City Manager, or his designee, to execute the Amendment.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-111 approving a First Amendment to the Agreement with FlowWest, LLC. of Oakland, CA., for additional tasks related to Environmental Documentation, Permitting, Construction Documentation and Bidding & Construction Support for the Tuolumne River Regional Park (TRRP) Gateway Parcel River Overlook Project, increasing the Agreement amount by \$132,701, to a new total amount not to exceed \$256,161, plus \$51,232 in additional services, if needed, for a total amount not to exceed \$307,393, and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

22. Consider accepting the Monthly Investment Report for January 2025. (Funding Source: Various Funds)

- Motion accepting the Monthly Investment Report for January 2025.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Wright/Ricci; 6/0) Motion accepting the Monthly Investment Report for January 2025.

Consent

23. Consider approving submittal of Grant Applications, accepting Grant Awards, and amending the annual budgets for all Waste Tire Cleanup Grants to California Department of Resources and Recovery. (Funding Source: Not Applicable)
- Resolution approving the submittal of Grant Applications, acceptance of Grant Awards, and amendments to the annual budgets for all Waste Tire Cleanup Grants to the State of California Department of Resources Recycling and Recovery, and authorizing the City Manager, or his designee, to sign Grant Applications and related forms.
- PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com*

ACTION: (Wright/Ricci; 6/0) Resolution 2025-112 approving the submittal of Grant Applications, acceptance of Grant Awards, and amendments to the annual budgets for all Waste Tire Cleanup Grants to the State of California Department of Resources Recycling and Recovery, and authorizing the City Manager, or his designee, to sign Grant Applications and related forms.

Consent

24. Consider approving submittal of Grant Applications, accepting Grant Awards, and amending the annual budgets for all Waste Tire Amnesty Grants to California Department of Resources Recycling and Recovery. (Funding Source: Not Applicable)
- Resolution approving the submittal of Grant Applications, acceptance of Grant Awards, and amendments to the annual budgets for all Waste Tire Amnesty Grants to the State of California Department of Resources Recycling and Recovery, and authorizing the City Manager, or his designee, to sign Grant Applications and related forms.
- PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com*

ACTION: (Wright/Ricci; 6/0) Resolution 2025-113 approving the submittal of Grant Applications, acceptance of Grant Awards, and amendments to the annual budgets for all Waste Tire Amnesty Grants to the State of California Department of Resources Recycling and Recovery, and authorizing the City Manager, or his designee, to sign Grant Applications and related forms.

Consent

25. Consider approving submittal of Grant Applications, accepting Grant Awards, and amending the annual budgets for all Waste Tire Enforcement Grants to the California Department of Resources Recycling and Recovery. (Funding Source: Not Applicable)
- Resolution approving the submittal of Grant Applications, acceptance of Grant Awards, and amendments to the annual budgets for all Waste Tire Enforcement Grants to the State of California Department of Resources Recycling and Recovery, and authorizing the City Manager, or his designee, to sign Grant Applications and related forms.
- PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com*

ACTION: (Wright/Ricci; 6/0) Resolution 2025-114 approving the submittal of Grant Applications, acceptance of Grant Awards, and amendments to the annual budgets for

all Waste Tire Enforcement Grants to the State of California Department of Resources Recycling and Recovery, and authorizing the City Manager, or his designee, to sign Grant Applications and related forms.

Consent

26. Consider approving the First Amendment to the Site-to-Site Communications Services Agreement with Ayera Technologies Inc., Modesto, CA, increasing the Agreement amount by \$117,500 and extending the term of the Agreement from July 14, 2027, to July 14, 2030. (Funding Source: Congestion Mitigation and Air Quality)

- Resolution approving the First Amendment to the Site-to-Site Communications Services Agreement with Ayera Technologies Inc., Modesto, CA, increasing the Agreement amount by \$117,500 from \$525,000 to a new revised total amount of \$642,500 and extending the term of the Agreement from July 14, 2027, to July 14, 2030, and authorizing the City Manager, or his designee, to execute the Agreement.

PUBLIC WORKS; Max Navarro, 209-571-5116, manavarro@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-115 approving the First Amendment to the Site-to-Site Communications Services Agreement with Ayera Technologies Inc., Modesto, CA, increasing the Agreement amount by \$117,500 from \$525,000 to a new revised total amount of \$642,500 and extending the term of the Agreement from July 14, 2027, to July 14, 2030, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

27. Consider approving the Plans and Specifications for the Downtown Signal Coordination G Street and H Street, CML 5059(261) Project, accepting the Bid, and Awarding a Contract to Bear Electrical Solutions, LLC of Alviso, CA in the amount of \$1,176,085, and a twenty percent contingency amount of \$235,217 for a total amount not to exceed \$1,411,302. (Funding Source: Congestion Mitigation and Air Quality and Measure L Funds)

- Resolution approving the Plans and Specifications for the Downtown Signal Coordination G Street and H Street, CML 5059(261) Project, accepting the Bid, and Awarding a Contract to Bear Electrical Solutions, LLC of Alviso, CA in the amount of \$1,176,085, and a twenty percent contingency amount of \$235,217 for a total amount not to exceed \$1,411,302, and authorizing the City Manager, or his designee, to execute the Agreement.

PUBLIC WORKS; Max Navarro, 209-571-5116, manavarro@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-116 approving the Plans and Specifications for the Downtown Signal Coordination G Street and H Street, CML 5059(261) Project, accepting the Bid, and Awarding a Contract to Bear Electrical Solutions, LLC of Alviso, CA in the amount of \$1,176,085, and a twenty percent contingency amount of \$235,217 for a total amount not to exceed \$1,411,302, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

28. Consider approving the Plans and Specifications for the Coffee Road Strengthen & Replace Water Mains Project, accepting the Bid and awarding a Construction Contract to United Pavement Maintenance, Inc., of Hughson, CA in the amount of \$2,338,210, authorizing 20% in contingency (if needed), for a total payment amount not to exceed \$2,805,852. (Funding Source: Water Fund)

- Resolution approving the Plans and Specifications for the Coffee Road Strengthen & Replace Water Mains Project, accepting the Bid and awarding a Construction Contract to United Pavement Maintenance Inc., of Hughson, CA in the amount of \$2,338,210, authorizing the Director of Engineering Services to approve Change Orders up to the cumulative amount of \$467,642, 20% of the original contract price, for a total payment amount not to exceed \$2,805,852 and authorizing the City Manager, or his designee, to execute the Contract.
- Resolution amending the Fiscal Year 2024-25 Capital Improvement Program Budget in the amount of \$2,040,000 to fund the Construction Phase of the Coffee Road Strengthen & Replace Water Mains Project and authorizing the City Manager, or his designee, to implement the provision of the Resolution.

UTILITIES; Edgar Vargas, 209-577-5424, evargas@modestogov.com

ACTION: (Wright/Ricci; 6/0) Resolution 2025-117 approving the Plans and Specifications for the Coffee Road Strengthen & Replace Water Mains Project, accepting the Bid and awarding a Construction Contract to United Pavement Maintenance Inc., of Hughson, CA in the amount of \$2,338,210, authorizing the Director of Engineering Services to approve Change Orders up to the cumulative amount of \$467,642, 20% of the original contract price, for a total payment amount not to exceed \$2,805,852 and authorizing the City Manager, or his designee, to execute the Contract.

ACTION: (Wright/Ricci; 6/0) Resolution 2025-118 amending the Fiscal Year 2024-25 Capital Improvement Program Budget in the amount of \$2,040,000 to fund the Construction Phase of the Coffee Road Strengthen & Replace Water Mains Project and authorizing the City Manager, or his designee, to implement the provision of the Resolution.

COUNCIL COMMENTS & REPORTS

Councilmember Escutia-Braaton reported attending an advocacy trip to Sacramento with San Joaquin Valley officials to inform new legislators about the Central Valley's needs. She noted the reformation of the Central Valley Caucus to address regional issues. She also attended a Women in Construction luncheon with other Council Members. Lastly, she highlighted the approval of the 2024 Citizens Advisory Group Annual Report, which will provide detailed insights into the work, attendance, and effectiveness of advisory groups, aiding future decisions on appointments and group objectives.

Councilmember Ricci noted progress in Modesto's road conditions, with the city's PCI score improving to 62 and a goal of reaching 72 in the next ten years. Residents are encouraged to

report road issues via the Go Modesto app or by email. He also mentioned ongoing efforts to address the feral cat problem through improved licensing, spay/neuter access, and system accountability. Additionally, he highlighted progress in addressing blight through expanded bulky item pickup and the city's abatement team.

Vice Mayor Bavaro reminded the public that penalties for illegal fireworks were increased last year, with fines ranging from \$2,000 to \$10,000 depending on the offense. He mentioned attending the La Loma Pollinator Festival, which saw strong community participation. He encouraged public involvement in the upcoming budget workshops on April 14. Lastly, he shared about being interviewed by a third-grade student from Lakewood Elementary, noting her intelligence and curiosity about City governance.

Councilmember Wright discussed the recent ribbon-cutting for the Dignity Moves project, which opened 42 housing units. Ten to eleven clients have already moved in. He emphasized the city's efforts to support vulnerable residents and noted the strong attendance from City Council and County Supervisors at the event.

Mayor Zwahlen highlighted several recent events and initiatives. She referenced the State of the City speech and encouraged viewing the 15-minute video on Measure H, which outlines City improvements. She mentioned her involvement in the Safe Streets for All Task Force, aiming for zero traffic fatalities, with awareness signs to be placed in neighborhoods. Additional events included the Farm Worker of the Year celebration with Karen Ross and Governor Newsom's visit to announce the California Master Plan for Career Education at the regional fire training center.

CITY MANAGER COMMENTS & REPORTS

City Manager Joe Lopez announced that budget workshops will begin on Monday, April 14 and continue through Wednesday, with Thursday reserved if needed. Monday's session will start at 5:00 p.m. and will resume Tuesday morning at 8:30 a.m.

HEARINGS

Published in the Modesto Bee on March 16, 2025.

29. Hearing to consider approving rezone from Planned Development Zone P-D (179) to Mixed Use Highway (MU-H) Zone, on property located at 2800 Sisk Road (Assessor Parcel Number 005-037-025). (Funding Source: Application Fee)

- Resolution adopting Negative Declaration for a rezone of 5.3 acres from Planned Development Zone P-D(179) to Mixed Use Highway (MU-H) zone, property located at 2800 Sisk Road.
- Motion introducing and waiving the first reading of an Ordinance amending Section 13-3-8 of the Zoning Map of the City of Modesto to rezone 5.3-acres from Planned Development Zone P-D(179) to Mixed-Use Highway (MU-H) Zone, property located at 2800 Sisk Road. (Fernandez)

CED; Edwin Borquez, 209-571-5516, eborquez@modestogov.com

ACTION: (Bavaro/Wright; 6/0) Resolution 2025-119 adopting Negative Declaration for a rezone of 5.3 acres from Planned Development Zone P-D(179) to Mixed Use Highway (MU-H) zone, property located at 2800 Sisk Road.

ACTION: (Escutia-Braaton/Alvarez; 6/0) Motion introducing and waiving the first reading of Ordinance 3793-C.S. amending Section 13-3-8 of the Zoning Map of the City of Modesto to rezone 5.3-acres from Planned Development Zone P-D(179) to Mixed-Use Highway (MU-H) Zone, property located at 2800 Sisk Road. (Fernandez)

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:18 PM

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
SAFETY AND COMMUNITIES COMMITTEE / COUNCIL
WORKSHOP

2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, April 14, 2025 at 4:00 PM

Roll Call: Present: Committee Member Escutia-Braaton, Vice-Chair Ricci, Chair Williams

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-4; (Escutia-Braaton/Ricci; 3/0)

CONSENT

Consent

1. Consider the Sole Source purchase of two LifePak15 Monitors and eight LUCAS devices from Stryker Medical, Chicago, IL for a total cost not to exceed \$323,525 and forwarding to Council for approval. (Funding Source: Measure H Fund, Emergency Medical Services Revenue (EMS) and General Fund)
 - Motion recommending the Sole Source Purchase with Stryker Medical, Chicago, IL of two LifePak15 Monitors and eight LUCAS devices for a total cost not to exceed \$323,525 and forwarding to Council for approval.
FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Escutia-Braaton/Ricci; 3/0) Motion recommending the Sole Source Purchase with Stryker Medical, Chicago, IL of two LifePak15 Monitors and eight LUCAS devices for a total cost not to exceed \$323,525 and forwarding to Council for approval.

Consent

2. Consider the Annual Fire Inspection Report for 2024 and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the Annual Fire Inspection Report for 2024 and forwarding to Council for approval.
FIRE DEPARTMENT; David Bickle, 209-571-5553, dbickle@modestofire.com

ACTION: (Escutia-Braaton/Ricci; 3/0) Motion recommending the Annual Fire Inspection Report for 2024 and forwarding to Council for approval.

Consent

3. Consider amending the Culture Commission bylaws and forwarding to Council for approval. (Funding Source: Not Applicable)
- Motion recommending amending the Culture Commission bylaws and forwarding to Council for approval.

PRN; Diane Sheatsley, 209-577-5418, dsheatsley@modestogov.com

ACTION: (Escutia-Braaton/Ricci; 3/0) Motion recommending amending the Culture Commission bylaws and forwarding to Council for approval.

Consent

4. Consider a Service Agreement with Trinity Rivard, Tampa, FL for the installation of the 150th Anniversary Mural in the amount of \$25,000 and forwarding to Council for approval. (Funding Source: General Fund)
- Motion recommending a Service Agreement with Trinity Rivard, Tampa, FL for the installation of the 150th Anniversary Mural in the amount of \$25,000 and forwarding to Council for approval.

PRN; Diane Sheatsley, 209-577-5418, dsheatsley@modestogov.com

ACTION: (Escutia-Braaton/Ricci; 3/0) Motion recommending a Service Agreement with Trinity Rivard, Tampa, FL for the installation of the 150th Anniversary Mural in the amount of \$25,000 and forwarding to Council for approval.

UNFINISHED BUSINESS

Item continued from March 10, 2025

5. Consider an Agreement with American Medical Response West, Modesto, CA for reimbursement of costs for First Responder Services, and forwarding to Council for approval. (Funding Source: General Fund)
- Motion recommending an Agreement with American Medical Response West, Modesto, CA for reimbursement of costs for First Responder Services, and forwarding to Council for approval.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Ricci/Escutia-Braaton; 3/0) Motion recommending an Agreement with American Medical Response West, Modesto, CA for reimbursement of costs for First Responder Services, and forwarding to Council for approval.

NEW BUSINESS

6. Consider the Modesto Police Department's annual Military Equipment report, an Ordinance re-authorizing the department's Military Equipment Use Policy (Policy 710)

purchasing additional equipment that qualifies as “military equipment” and forwarding to Council for approval. (Funding Source: General Fund, Supplemental Law Enforcement Services Fund, Asset Forfeiture Funds, and/or Police Grant Funds)

- Motion recommending the Modesto Police Department’s annual Military Equipment report, recommending an Ordinance re-authorizing the Modesto Police Department’s Military Equipment Use Policy (Policy 710) in accordance with CA Assembly Bill 481, the purchase of additional equipment that qualifies as “military equipment”, and forwarding to Council for approval.

POLICE DEPARTMENT; Joseph Bottoms, 209-572-9500, bottoms@modestopd.com

ACTION: (Escutia-Braaton/Ricci; 3/0) Motion recommending the Modesto Police Department’s annual Military Equipment report, recommending an Ordinance re-authorizing the Modesto Police Department’s Military Equipment Use Policy (Policy 710) in accordance with CA Assembly Bill 481, the purchase of additional equipment that qualifies as “military equipment”, and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:30 P.M.

Attest: _____
Dana Sanchez, Assistant City Clerk

MINUTES
City of Modesto
FINANCE COMMITTEE / COUNCIL WORKSHOP
Basement Chambers
Tenth Street Place, 1010 10th Street
Modesto, California

FY 2025-26/2026-27 FINANCE COMMITTEE BUDGET WORKSHOPS AGENDA

Monday, April 14, 2025 at 5:00 PM

Roll Call: Present: Member Bavaro, Vice-Chair Wright, and Chair Escutia-Braaton
Absent: None
Also Present: Alternate Members Ricci and Zwahlen

PUBLIC COMMENTS

None.

SUBMITTING COMMENTS BY E-MAIL

None.

Presentations:

City of Modesto Budget Overview

- **Budget Overview Presentation:**
Office of Performance Management and Budget Director Steve Christensen and Budget Manager Kacey Culbertson gave Presentation: Council Retreat Outcomes, Fiscal Year 2025-26/26-27, General Fund Draft, Proposed Operating Budget, FY 2025-26 Non-Measure H Proposed Adjustments, Measure H Overview, Other Major Funds, Finance Budget Workshops Schedule.

Department Presentations

- **Quality of Life**
 - **Police Department**
Police Chief Brandon Gillespie gave Presentation: Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Impact of Measure H on Department, Department

Priorities/Goals for Fiscal Year 2025-26/2026-27.

Recessed at 6:33 p.m.

Reconvened 6:41 p.m.

- **Fire Department**

Fire Chief Kevin Wise gave Presentation: Department Overview; Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Impact of Measure H on Department, Department Priorities/Goals for Fiscal Year 2025-26/2026-27.

- **Parks, Recreation & Neighborhoods Department**

Parks, Recreation & Neighborhoods Director Jeremy Rogers gave Presentation: Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Department Priorities/Goals for Fiscal Year 2025-26/2026-27, Measure H Adjustments.

- **Charter Offices**

- **City Manager's Office**

City Manager Joe Lopez gave Presentation: Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Impact of Measure H on Department, Department Priorities/Goals for Fiscal Year 2025-26/2026-27.

- **City Attorney's Office**

City Attorney Jose Sanchez gave Presentation: Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Impact of Measure H on Department, Department Priorities/Goals for Fiscal Year 2025-26/2026-27.

- **City Clerk's Office**

City Clerk Diane Nayares-Perez gave Presentation - Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Impact of Measure H on Department, Department Priorities/Goals for Fiscal Year 2025-26/2026-27.

- **Office of the City Auditor**

Auditor Colleen Rozillis gave Presentation - Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Impact of Measure H on Department, Department Priorities/Goals for Fiscal Year 2025-26/2026-27.

Presentations will continue at the April 15, 2025, Finance Committee meeting.

ADJOURNMENT

This meeting adjourned at 8:29 p.m.

Attest: _____
Andrea Cook for
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
FINANCE COMMITTEE / COUNCIL WORKSHOP
Basement Chambers
Tenth Street Place, 1010 10th Street
Modesto, California

FY 2025-26/2026-27 FINANCE COMMITTEE BUDGET WORKSHOPS AGENDA

Tuesday, April 15, 2025 at 8:30 AM

Roll Call: Present: Member Bavaro, Vice-Chair Wright, and Chair Escutia-Braaton
Absent: None
Also Present: Alternate Members Ricci and Zwahlen

Presentations continued:

- **Departments**

- **Community & Economic Development Department**

- Community & Economic Development Director Jessica Hill gave Presentation: Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Impact of Measure H on Department, Department Priorities/Goals for Fiscal Year 2025-26/2026-27, Non-Measure H Adjustments.

- **Engineering Services Department**

- Engineering Services Director Toby Wells gave presentation: Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Impact of Measure H on Department, Department Priorities/Goals for Fiscal Year 2025-26/2026-27, Measure H Adjustments. Non-Measure H Adjustments.

- **Public Works Department**

- Public Works Director Bill Sandhu gave presentation: Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Impact of Measure H on Department, Department Priorities/Goals for Fiscal Year 2025-26/2026-27, Measure H Adjustments, Non-Measure H Adjustments, Overview of Fleet Replacement and Addition Process, Current Status of Fleet Replacements and Additions, Proposed FY 25-26 Fleet Replacement and Additions.

Recessed at 10:24 a.m.

Reconvened 10:36 a.m.

Alternate Member Ricci left at 10:24 a.m.

- **Human Resources Department**

Human Resources Director Christina Alger gave Presentation: Department Overview, Organizational Chart and Department Staffing, Department Priorities/Goals for Fiscal Year 2025-26/2026-27, Departmental Division Revenues & Expenditures, Impact of Measure H on Department, Worker's Compensation, General Liability, Employee Benefits, Division Overview, Worker's Compensation General Liability Financials, Employee Benefits Financials, CalPers Unfunded Accrued Liability (UAL) and Trust Accounts.

Alternate Member Ricci arrived at 11:07 a.m.

- **Information Technology Department**

Chief Information Officer Dameon Booker gave Presentation: Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Impact of Measure H on Department, Department Priorities/Goals for Fiscal Year 2025-26/2026-27.

- **Finance Department**

Finance Director DeAnna Christensen gave Presentation: Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Impact of Measure H on Department, Department Priorities/Goals for Fiscal Year 2025-26/2026-27.

Member Wright left at 11:53 a.m.

Recessed at 12:00 p.m.

Reconvened 12:30 p.m.

- **Office of Performance Management and Budget**

Office of Performance Management and Budget Director Steve Christensen gave Presentation: Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Impact of Measure H on Department, Department Priorities/Goals for Fiscal Year 2025-26/2026-27.

Member Wright arrived at 12:44 p.m.

- **Utilities Department**

Utilities Director Will Wong gave presentation: Department Overview, Organizational Chart and Department Staffing, Departmental Division Revenues & Expenditures, Department Priorities/Goals for Fiscal Year 2025-26/2026-27, Non-Measure H Adjustments.

Special Presentations

- **Equipment/Hardware/Software Maintenance Presentation**
Finance Director DeAnna Christensen gave presentation: Background, Equipment Maintenance FY 2025-26. Chief Information Officer Dameon Booker gave presentation: Software Maintenance FY 2025-26.
- **Revenue Manual/Fee Increases Presentation**
Finance Director DeAnna Christensen gave presentation: Revenue Manual, Proposed Fee Changes and Update Increases. CEDD Director Jessica Hill gave presentation: Development User Fees. PRN Director Jeremy Rogers gave presentation: Fee Increases, Park and Facility Rental Fees, Approved Fee Increases. PW Director Bill Sandhu gave presentation: Airport Fees, Proposed Fee Increases. Utilities Director Will Wong gave presentation: Approved Fee Increases, Storm Drain Rates Update, Proposed Sewer and Storm Fees.
- **Grant Status Update Presentation**
Finance Director DeAnna Christensen opened up the presentation on Grant Status Presentation. Community & Economic Development Director Jessica Hill, Engineering Services Director Toby Wells, Fire Chief Kevin Wise, Police Chief Brandon Gillespie, Public Works Director Bill Sandu, Utilities Director Will Wong gave updates for grant applications and awards and proposed grant applications for their departments.
- **American Rescue Plan Act (ARPA) Presentation**
Director DeAnna Christensen gave ARPA funding presentation.

Presentations will continue at the April 16, 2025, Finance Committee meeting.

ADJOURNMENT

This meeting adjourned at 2:00 p.m.

Attest: _____
Andrea Cook for
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
FINANCE COMMITTEE / COUNCIL WORKSHOP
Basement Chambers
Tenth Street Place, 1010 10th Street
Modesto, California

FY 2025-26/2026-27 FINANCE COMMITTEE BUDGET WORKSHOPS AGENDA

Wednesday, April 16, 2025 at 8:30 AM

Roll Call: Present: Member Bavaro, Vice-Chair Wright, and Chair Escutia-Braaton
Absent: None
Also Present: Alternate Members Ricci, Williams, and Zwahlen

PUBLIC COMMENTS

None.

SUBMITTING COMMENTS BY E-MAIL

None.

Presentations continued:

- **Deferred Maintenance Presentation**
Director Bill Sandhu gave a presentation for Public Works: Facility Condition Analysis Citywide Program Findings, Budget Impacts, PW Department Accomplishments, Airport, Traffic Engineering and Traffic Operations, Street Operations, Parking Services, Building Services, Compost Facility, Landfill Maintenance. Director Jeremy Rogers gave a presentation for Parks, Recreation, and Neighborhoods: 2025-26 Total Deferred Maintenance Amount for PRND Facilities, Parks, Community Centers, Rental Facilities, Historical Properties, Modesto Centre Plaza, John Thurman Field, Golf Courses. Director Will Wong gave a presentation for Utilities: Accomplishments, 24-25 Total Deferred Maintenance Amount, Primary Wastewater Sutter Facility, Secondary Wastewater Jennings Facility, Water Division Corporation Yard Litt Road Facility.

Recessed at 9:36 a.m.
Reconvened 9:41 a.m.

- **Sponsorships Presentation**

Parks, Recreation, and Neighborhood Director Jeremy Rogers gave a presentation: Administrative Directive 3.6, Co-Sponsorships with City Partners, Community & Special Event Grants, Potential Direction.

ACTION: (Wright/Bavaro; 3/0) Motion approving a one-time financial support to the Modesto Garden Club, seeking \$25,000 for operation costs and \$10,000 each year only upon request for the next five years, as well as \$25,000 support to the Gallo Center for the Arts.

Recessed at 10:25 a.m.

Reconvened 10:42 a.m.

• **Follow-up and Committee Recommendations**

Budget Manager Stephan Christensen gave presentation on report back items and follow up along with Police Chief Brandon Gillespie, Engineering Director Toby Wells, Public Works Director Bill Sandhu, Human Resources Director Christina Alger, Chief Information Officer Dameon Booker, Finance Director DeAnna Christensen, Public Works Director Bill Sandhu.

NEW BUSINESS

1. Consider accepting and forwarding on to Council for final review and adoption the Draft Proposed Fiscal Year 2025-26 Operating and Multi-Year Budget for the City of Modesto. (Funding Source: All City Funds)
 - Motion accepting and forwarding on to Council for final review and adoption the Draft Proposed Fiscal Year 2025-26 Operating and Multi-Year Budget for the City of Modesto.

BUDGET; Steve Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion accepting and forwarding on to Council for final review and adoption the Draft Proposed Fiscal Year 2025-26 Operating and Multi-Year Budget for the City of Modesto.

2. Consider approving payment of various equipment maintenance agreements for Fiscal Year 2025-26 with multiple equipment manufacturers for all City Departments, for an annual cost not to exceed \$888,358 and forwarding to Council for approval. (Funding Sources: Various City Funds)
 - Motion approving payment of various equipment maintenance agreements for Fiscal Year 2025-26 with multiple equipment manufacturers for all City Departments, for an annual cost not to exceed \$888,358 and forwarding to Council for approval.

BUDGET; Steve Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Bavaro/Wright; 3/0) Motion approving payment of various equipment maintenance agreements for Fiscal Year 2025-26 with multiple equipment

manufacturers for all City Departments, for an annual cost not to exceed \$888,358 and forwarding to Council for approval.

3. Consider approving payment of various software / hardware maintenance agreements for Fiscal Year 2025-26 with multiple vendors for all City Departments, for an annual cost not to exceed \$10,902,807 and forwarding to Council for approval. (Funding Source: Various City Funds)

- Motion approving payment of various software / hardware maintenance agreements for Fiscal Year 2025-26 with multiple vendors for all City Departments, for an annual cost not to exceed \$10,902,807 and forwarding to Council for approval.

BUDGET; Steve Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion approving payment of various software / hardware maintenance agreements for Fiscal Year 2025-26 with multiple vendors for all City Departments, for an annual cost not to exceed \$10,902,807 and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 11:12 a.m.

Attest: _____
Andrea Cook for
Diane Nayaes-Perez, City Clerk

MINUTES
City of Modesto
FINANCE COMMITTEE / COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, April 21, 2025 at 4:00 PM

Roll Call: Present: Vice-Chair Wright and Chair Escutia-Braaton
Absent: Committee Member Bavaro
Also Present: Alternate Member Williams

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-8 (Wright/Williams; 3/0)

CONSENT

Consent

1. Consider the recommended budget adjustments to Fiscal Year 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the budget adjustments to 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.
BUDGET; Steve Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Wright/Williams; 3/0) Motion recommending the budget adjustments to 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.

Consent

2. Consider the Agreements for Maintenance, Repair and Operations Parts to Grainger Inc., Lake Forest, IL, and Fastenal Company Inc., Winona, MN for a total combined amount not to exceed \$3,128,524, over five years and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the Agreements for Maintenance, Repair and Operations Parts to Grainger Inc., Lake Forest, IL, and Fastenal Company Inc., Winona, MN for a two-year Agreement with three one-year extension options, for an

annual combined estimated amount of \$583,500 and a total combined amount not to exceed \$3,128,524 over five years; and forwarding to Council for approval.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Wright/Williams; 3/0) Motion recommending the Agreements for Maintenance, Repair and Operations Parts to Grainger Inc., Lake Forest, IL, and Fastenal Company Inc., Winona, MN for a two-year Agreement with three one-year extension options, for an annual combined estimated amount of \$583,500 and a total combined amount not to exceed \$3,128,524 over five years; and forwarding to Council for approval.

Consent

3. Consider an Agreement with Nynox Solutions, Princeton, NJ, to implement and support an AI-powered search engine for a total amount not to exceed \$255,000 over three years and forwarding to Council for approval. (Funding Source: Information Technology Fund)
 - Motion recommending an Agreement with Nynox Solutions, Princeton, NJ, to implement and support an AI-powered search engine for a total amount not to exceed \$255,000 over three years and forwarding to Council for approval.

IT; Dameon Booker, 209-571-5229, dbooker@modestogov.com

ACTION: (Wright/Williams; 3/0) Motion recommending an Agreement with Nynox Solutions, Princeton, NJ, to implement and support an AI-powered search engine for a total amount not to exceed \$255,000 over three years and forwarding to Council for approval.

Consent

4. Consider renewing the Agreement with Environmental Systems Research Institute, Inc. (ESRI) for the Small Government Enterprise License Agreement (SGEA) at \$180,400 annually for a combined total amount not to exceed \$541,200 over a three-year term and forwarding to Council for approval. (Funding Source: Information Technology Funds)
 - Motion recommending the Small Government Enterprise License Agreement renewal with Environmental Systems Research Institute, Inc. (ESRI) for a term of three years in the amount not to exceed \$541,200 and forwarding to Council for approval.

IT; James Dotson, 209-571-5508, jadotson@modestogov.com

ACTION: (Wright/Williams; 3/0) Motion recommending the Small Government Enterprise License Agreement renewal with Environmental Systems Research Institute, Inc. (ESRI) for a term of three years in the amount not to exceed \$541,200 and forwarding to Council for approval.

Consent

5. Consider Agreements for the purchase of Equipment and Vehicle Parts and Repair Services with Altec Industries, Inc., Dixon, CA; Keyes Truck Center, Keyes, CA; and Bonander Truck and Trailer, Turlock, CA for a total amount not to exceed \$1,010,000 over five years and forwarding to Council for approval. (Funding Source: Fleet Fund, Outside Service Agreements)
- Motion recommending Agreements for the purchase of Equipment and Vehicle Parts and Repair Services with Altec Industries, Inc., Dixon, CA; Keyes Truck Center, Keyes, CA; and Bonander Truck and Trailer, Turlock, CA for an estimated annual spend of \$202,000, and a total amount not to exceed \$1,010,000 over five years and forwarding to Council for approval.
- PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com*

ACTION: (Wright/Williams; 3/0) Motion recommending Agreements for the purchase of Equipment and Vehicle Parts and Repair Services with Altec Industries, Inc., Dixon, CA; Keyes Truck Center, Keyes, CA; and Bonander Truck and Trailer, Turlock, CA for an estimated annual spend of \$202,000, and a total amount not to exceed \$1,010,000 over five years and forwarding to Council for approval.

Consent

6. Consider the First Amendment to Agreement with Carahsoft Technology Corp., of Reston, Virginia, increasing the Agreement amount by \$49,867 to a revised total amount not to exceed \$243,232 over the term of the original Agreement and forwarding to Council for approval. (Funding Source: Solid Waste Management Fund)
- Motion recommending the First Amendment to Agreement with Carahsoft Technology Corp., of Reston, Virginia, increasing the Agreement amount by \$49,867 to a revised total amount not to exceed \$243,232 over the term of the original Agreement; and forwarding to Council for approval.
- PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com*

ACTION: (Wright/Williams; 3/0) Motion recommending the First Amendment to Agreement with Carahsoft Technology Corp., of Reston, Virginia, increasing the Agreement amount by \$49,867 to a revised total amount not to exceed \$243,232 over the term of the original Agreement; and forwarding to Council for approval.

Consent

7. Consider the First Amendment with Greentek Services, LLC, Oroville, CA, for Tree Pruning and Removal Services increasing the Agreement amount by \$300,000 and Rumble Tree, Inc., Modesto, CA for Tree Pruning and Removal Services increasing the Agreement amount by \$1,594,350 and forwarding to Council for approval. (Funding Source: Measure H Fund)
- Motion recommending the First Amendments with Greentek Services, LLC, Oroville, CA, for Tree Pruning and Removal Services increasing the Agreement amount by \$300,000 to a new total amount over five years of \$3,475,000 and Rumble Tree, Inc., Modesto, CA for Tree Pruning and Removal Services increasing the Agreement amount by \$1,594,350 for a new total over five years of \$2,914,350 and forwarding to Council for approval.

PUBLIC WORKS; Mike Johnson, 209-342-4566, mjohnson@modestogov.com

ACTION: (Wright/Williams; 3/0) Motion recommending the First Amendments with Greentek Services, LLC, Oroville, CA, for Tree Pruning and Removal Services increasing the Agreement amount by \$300,000 to a new total amount over five years of \$3,475,000 and Rumble Tree, Inc., Modesto, CA for Tree Pruning and Removal Services increasing the Agreement amount by \$1,594,350 for a new total over five years of \$2,914,350 and forwarding to Council for approval.

Consent

8. Consider a Final Initial Study/Mitigated Negative Declaration for the Stanislaus Elementary School 1,2,3-TCP Mitigation Project in accordance with the California Environmental Quality Act and forwarding to Council for approval. (Funding Source: Water Fund)
- Motion recommending the approval of the Final Initial Study/Mitigated Negative Declaration for the Stanislaus Elementary School 1,2,3-TCP Mitigation Project in accordance with the California Environmental Quality Act and forwarding to Council for approval.

UTILITIES; Jim Alves, 209-571-5557, jalves@modestogov.com

ACTION: (Wright/Williams; 3/0) Motion recommending the approval of the Final Initial Study/Mitigated Negative Declaration for the Stanislaus Elementary School 1,2,3-TCP Mitigation Project in accordance with the California Environmental Quality Act and forwarding to Council for approval.

NEW BUSINESS

9. Consider amending the Annual Commercial Cannabis Permit Fees and Application Fee for operational and non-operational approved Cannabis businesses and adopting the Commercial Cannabis Business Modification Request Deposits for changes in ownership and changes in location and forwarding to Council for approval. (Funding Source: Cannabis Fund)
- Motion recommending an Amendment to the Operational Annual Commercial Cannabis Permit Fee with an annual cost of \$22,821 and the Non-Operational Annual Commercial Cannabis Permit Fee with an annual cost of \$3,991 and forwarding to Council for approval.
 - Motion recommending an Amendment to the Commercial Cannabis Permit Application fee adjusting the fee to a \$6,380 Refundable Deposit and forwarding to Council for approval.
 - Motion recommending the Adoption of Commercial Cannabis Business Modification Request Deposits in the amount of \$2,000 for changes in ownership and \$5,000 for changes in location and forwarding to Council for approval.

FINANCE DEPARTMENT; Gina Brown, 209-577-5381, gbrown@modestogov.com

ACTION: (Escutia-Braaton/Wright; 3/0) Motion recommending an Amendment to the Operational Annual Commercial Cannabis Permit Fee with an annual cost of \$22,821 and the Non-Operational Annual Commercial Cannabis Permit Fee with an annual cost of \$3,991 and forwarding to Council for approval.

ACTION: (Escutia-Braaton/Wright; 3/0) Motion recommending an Amendment to the Commercial Cannabis Permit Application fee adjusting the fee to a \$6,380 Refundable Deposit and forwarding to Council for approval.

ACTION: (Escutia-Braaton/Wright; 3/0) Motion recommending the Adoption of Commercial Cannabis Business Modification Request Deposits in the amount of \$5,000 for changes in ownership and \$2,000 for changes in location and forwarding to Council for approval.

10. Consider the purchase of Personal Computers (PC) and Laptops to Dell Technologies, Inc., Round Rack, TX for an amount not to exceed \$3,000,000 over four years and forwarding to Council for approval. (Funding Source: Information Technology Fund)
- Motion recommending the Competitive Bidding Process from The State of Minnesota in partnership with NASPO ValuePoint, with Dell Technologies, Inc., Round Rack, TX for the purchase of Personal Computers and Laptops for an annual estimated amount \$750,000 and a total amount not to exceed \$3,000,000 over four years; and forwarding to Council for approval.

FINANCE DEPARTMENT; Kyle Ford, 209-571-5508, kford@modestogov.com

ACTION: (Williams/Wright; 3/0) Motion recommending the Competitive Bidding Process from The State of Minnesota in partnership with NASPO ValuePoint, with Dell Technologies, Inc., Round Rack, TX for the purchase of Personal Computers and Laptops for an annual estimated amount \$750,000 and a total amount not to exceed \$3,000,000 over four years; and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:31 p.m.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, April 22, 2025 at 5:31 PM

Special City Council - Closed Session Meeting 5:00 p.m.:

Roll Call - Present: Councilmembers Alvarez, Escutia-Braaton, Ricci, Williams,
Wright, Mayor Zwahlen
Absent: Vice-Mayor Bavaro

Regular City Council Meeting, 5:30 p.m.:

Roll Call – Present: Councilmembers Alvarez, Escutia-Braaton, Ricci, Williams,
Wright, Mayor Zwahlen
Absent: Vice-Mayor Bavaro

Pledge of Allegiance to the Flag

Invocation: Father Misael Avila, Sacred Heart Catholic Church

City Clerk's Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: No Reportable Action

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring May as National Mental Health Awareness Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com
ACTION: Mayor Zwahlen presented a proclamation declaring May as National Mental Health Awareness Month.
2. Proclamation declaring May as National Older Americans Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com
ACTION: Mayor Zwahlen presented a proclamation declaring May as National Older Americans Month.

MISCELLANEOUS

3. Consider accepting the resignation of Adriana Garcia from the Equity Commission. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of Adriana Garcia from the City of Modesto's Equity Commission.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Wright/Williams; 6/0) Resolution 2025-120 accepting the resignation of Adriana Garcia from the City of Modesto's Equity Commission.

4. Consider approving the appointment of Michelle Patino and Thomas Guerrero to the Downtown Improvement District Board of Directors for a four-year term ending December 31, 2029. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointment of Michelle Patino and Thomas Guerrero to the Downtown Improvement District Advisory Board for a four-year term ending December 31, 2029.

CED; Sean Rando, 209-577-5473, srando@modestogov.com

ACTION: (Williams/Ricci; 6/0) Resolution 2025-121 approving the appointment of Michelle Patino and Thomas Guerrero to the Downtown Improvement District Advisory Board for a four-year term ending December 31, 2029.

PUBLIC COMMENT IN PERSON

- Kevin McClarty from District One thanked Council Members Williams and Ricci for attending the opening of Camp Jack Hazard's new office at Needham and K Street. He emphasized how their presence made a lasting impression on the youth, comparing it to a meaningful memory from his own teen years. He highlighted the importance of showing up and the impact it can have.
- Mark Fabela spoke about concerns with Neece Drive, which runs alongside the Muni Golf Course and the proposed stadium site. He highlighted safety issues with broken guardrails on two curves and suggested straightening the road to improve safety and create valuable riverfront commercial property. He supports building the stadium at the Muni Golf Course due to greater community opportunities and expressed a desire to continue the conversation before the June vote.
- Jerry Thompson thanked City leaders and organizers for the successful March 29th car community and police event, hoping it becomes annual. He missed the last meeting to attend a Sacramento event supporting SB 712, representing Modesto. He looks forward to summer events and invited Councilman Alvarez to join with his car.
- Loretta Carhart asked for guidance on building along her property line and requested help finding someone to speak with.

- Zafir Solomon commented on the budget workshop, expressing concern over a vague response about \$30 million from Measure H funds, urging clearer financial transparency. He also criticized the lack of progress on rebuilding the Dryden Golf Course clubhouse, noting it's been nearly five years since the fire, despite insurance and COVID relief funds being received. He called for action, saying golfers are paying more but getting less.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 5-6, 8-17 (Wright/Escutia-Braaton; 6/0)

CONSENT

Consent

5. Consider approving the minutes for the April 8, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the April 8, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Escutia-Braaton; 6/0) Motion approving the minutes for the April 8, 2025 Council Meeting.

Consent

6. Consider approving Final Adoption of Ordinance 3793-C.S. amending Section 13-3-8 of the Zoning Map of the City of Modesto to Rezone 5.3-Acres from Planned Development Zone P-D (179) to Mixed Use Highway (MU-H) Zone, property located at 2800 Sisk Road (Fernandez). (Funding Source: Not Applicable)
 - Motion approving Final Adoption of Ordinance 3793-C.S. amending Section 13-3-8 of the Zoning Map of the City of Modesto to Rezone 5.3-Acres from Planned Development Zone P-D (179) to Mixed Use Highway (MU-H) Zone, property located at 2800 Sisk Road (Fernandez).
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Escutia-Braaton; 6/0) Motion approving Final Adoption of Ordinance 3793-C.S. amending Section 13-3-8 of the Zoning Map of the City of Modesto to Rezone 5.3-Acres from Planned Development Zone P-D (179) to Mixed Use Highway (MU-H) Zone, property located at 2800 Sisk Road (Fernandez).

Removed from Consent

Consent

7. Consider approving a Public Highway at Grade Crossing Agreement for additional rights to the at grade public road crossing over B Street with Union Pacific Railroad Company for the 7th Street Bridge Project. (Funding Source: Streets Capital Facility Fees)
 - Resolution approving a Public Highway at Grade Crossing Agreement for additional rights to the at grade public road crossing over B Street with Union Pacific Railroad Company for the 7th Street Bridge Project, and authorizing the City Manager, or his designee to execute the Agreement.

ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Escutia-Braaton/Ricci; 6/0) Resolution 2025-122 approving a Public Highway at Grade Crossing Agreement for additional rights to the at grade public road crossing over B Street with Union Pacific Railroad Company for the 7th Street Bridge Project, and authorizing the City Manager, or his designee to execute the Agreement.

Consent

8. Consider accepting the Retroreflective Backplates and Striping Project as complete, releasing securities, releasing payments totaling \$579,530 to Tennyson Electric, Inc. of Livermore, CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: Highway Safety Improvement Program, Surface Transportation Block Grant, and Surface Transportation Fund)

- Resolution accepting the Retroreflective Backplates and Striping Project as complete, releasing securities, releasing payments totaling \$579,530 to Tennyson Electric, Inc. of Livermore, CA, and authorizing the City Clerk to file a Notice of Completion.

ENGINEERING SERVICES; Peter Kambel, 209-577-5444, pkambel@modestogov.com

ACTION: (Wright/Escutia-Braaton; 6/0) Resolution 2025-123 accepting the Retroreflective Backplates and Striping Project as complete, releasing securities, releasing payments totaling \$579,530 to Tennyson Electric, Inc. of Livermore, CA, and authorizing the City Clerk to file a Notice of Completion.

Consent

9. Consider accepting an Informational Report for the February 2025 Accounts Payable Payment Register and Void Report. (Funding Source: Not Applicable)

- Motion accepting an Informational Report for the February 2025 Accounts Payable Payment Register and Void Report.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Wright/Escutia-Braaton; 6/0) Motion accepting an Informational Report for the February 2025 Accounts Payable Payment Register and Void Report.

Consent

10. Consider approving a Memorandum of Understanding with Unlimited Play, St. Peters, MO to serve as the Fiscal Entity related to the fund raising for the development, construction, and future maintenance of The Awesome Spot Inclusive Playground at Beyer Community Park. (Funding Source: CIP Project 100984, Awesome Spot Playground Project)

- Resolution approving a Memorandum of Understanding with Unlimited Play, St. Peters, MO to serve as the Fiscal Entity related to the fund raising for the development, construction, and future maintenance of The Awesome Spot Inclusive Playground at Beyer Community Park Project, and authorizing the City Manager, or his designee, to execute the Memorandum of Understanding.

PRN; Diane Sheatsley, 209-577-5418, dsheatsley@modestogov.com

ACTION: (Wright/Escutia-Braaton; 6/0) Resolution 2025-124 approving a Memorandum of Understanding with Unlimited Play, St. Peters, MO to serve as the Fiscal Entity related to the fund raising for the development, construction, and future maintenance of The Awesome Spot Inclusive Playground at Beyer Community Park Project, and authorizing the City Manager, or his designee, to execute the Memorandum of Understanding.

Consent

11. Consider approving the increase of Purchase Order #229342 with PB Loader, Fresno, CA by \$14,728 for two dump trucks for a revised total amount not to exceed \$307,655. (Funding Source: Fleet Replacement Fund)

- Resolution approving the increase of a Purchase Order #229342 with PB Loader, Fresno, CA for two dump trucks by \$14,728 for a revised total amount not to exceed \$307,655; and authorizing the Director of Finance, or her designee, to execute the increase to the Purchase Order.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Wright/Escutia-Braaton; 6/0) Resolution 2025-125 approving the increase of a Purchase Order #229342 with PB Loader, Fresno, CA for two dump trucks by \$14,728 for a revised total amount not to exceed \$307,655; and authorizing the Director of Finance, or her designee, to execute the increase to the Purchase Order.

Consent

12. Consider approving the Grant Acceptance for the Department of Energy, Energy Efficiency and Conservation Block Grant Program, in an amount not to exceed \$241,720; the Purchase of three Class 4, 5, and 6 electric vehicles, from Kingsburg Truck Center, Kingsburg CA for an amount not to exceed \$586,679. (Funding Source: Fleet Management Fund)

- Resolution approving the Grant Acceptance for the Department of Energy, Energy Efficiency and Conservation Block Grant Program in an amount not to exceed \$241,720; and authorizing the City Manager, or his designee, to execute and submit all documents which may be necessary for the completion of the grant acceptance.
- Resolution approving the Purchase of three Class 4, 5, and 6 electric vehicles, from Kingsburg Truck Center, Kingsburg CA for a total amount not to exceed \$586,679; and contingency Change Orders not to exceed 15% of the total purchase price and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Wright/Escutia-Braaton; 6/0) Resolution 2025-126 approving the Grant Acceptance for the Department of Energy, Energy Efficiency and Conservation Block Grant Program in an amount not to exceed \$241,720; and authorizing the City

Manager, or his designee, to execute and submit all documents which may be necessary for the completion of the grant acceptance.

ACTION: (Wright/Escutia-Braaton; 6/0) Resolution 2025-127 approving the Purchase of three Class 4, 5, and 6 electric vehicles, from Kingsburg Truck Center, Kingsburg CA for a total amount not to exceed \$586,679; and contingency Change Orders not to exceed 15% of the total purchase price and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

Consent

13. Consider approving the Sole Source Agreement for the purchase of Vehicle Disablement Systems with MobileSpike Technologies Inc., Longview, WA for a total amount not to exceed \$750,000 over five years. (Funding Source: Fleet Fund)
- Resolution approving the Sole Source Agreement for the purchase of MobileSpike Vehicle Disablement Systems with MobileSpike Technologies Inc., Longview, WA, for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$150,000, and a total amount not to exceed \$750,000 over five years; and authorizing the Director of Finance, or her designee, to execute the Agreement.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Wright/Escutia-Braaton; 6/0) Resolution 2025-128 approving the Sole Source Agreement for the purchase of MobileSpike Vehicle Disablement Systems with MobileSpike Technologies Inc., Longview, WA, for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$150,000, and a total amount not to exceed \$750,000 over five years; and authorizing the Director of Finance, or her designee, to execute the Agreement.

Consent

14. Consider approving the First Amendment to the Purchasing Agreements for the purchase of equipment and vehicle parts and services with CenCal Auto and Truck Parts, Modesto, CA and Rush Truck Center, Ceres, CA for an annual combined estimated cost increase of \$340,000 for a total amount not to exceed \$2,867,550 over five years. (Funding Source: Fleet Management Fund)
- Resolution approving the First Amendments for the Agreements with CenCal Auto and Truck Parts, Modesto, CA and Rush Truck Centers, Ceres, CA for the purchase of Equipment and Vehicle Parts and Services for the Agreements for an annual estimated cost increase of \$340,000 from \$200,000 to \$540,000 for a revised total amount not to exceed \$2,867,550 over five years; and authorizing the Director of Finance, or her designee, to execute the Amendments.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Wright/Escutia-Braaton; 6/0) Resolution 2025-129 approving the First Amendments for the Agreements with CenCal Auto and Truck Parts, Modesto, CA and Rush Truck Centers, Ceres, CA for the purchase of Equipment and Vehicle Parts and Services for the Agreements for an annual estimated cost increase of \$340,000 from

\$200,000 to \$540,000 for a revised total amount not to exceed \$2,867,550 over five years; and authorizing the Director of Finance, or her designee, to execute the Amendments.

Consent

15. Consider approving the First Amendment with Champion Industrial Contractors, Inc. Modesto, CA for On-Call Mechanical and Refrigeration Services, increasing the Agreement amount by \$420,000 to a new total of \$1,210,505 over five years. (Funding Source: General Fund, Utility Funds, and Building Maintenance Fund)

- Resolution approving the First Amendment with Champion Industrial Contractors, Inc. Modesto, CA for the On-Call Mechanical and Refrigeration Services, increasing the Agreement amount by \$420,000 to a new total amount of \$1,210,505 over five years, and authorizing the City Manager, or his designee, to execute the Amendment.

PUBLIC WORKS; Gabe daSilva, 209-342-2281, gdasilva@modestogov.com

ACTION: (Wright/Escutia-Braaton; 6/0) Resolution 2025-130 approving the First Amendment with Champion Industrial Contractors, Inc. Modesto, CA for the On-Call Mechanical and Refrigeration Services, increasing the Agreement amount by \$420,000 to a new total amount of \$1,210,505 over five years, and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

16. Consider approving the 2024 update to the City of Modesto Sewer System Management Plan. (Funding Source: Sewer Operations Fund)

- Resolution approving the 2024 update to the City of Modesto Sewer System Management Plan.

UTILITIES; Jeff Daniels, 209-577-6255, jdaniels@modestogov.com

ACTION: (Wright/Escutia-Braaton; 6/0) Resolution 2025-131 approving the 2024 update to the City of Modesto Sewer System Management Plan.

Consent

17. Consider approving a two-month extension of the Lease with Juana Monreal and Jose Solis, individuals doing business as Liz Andrews Furniture, for the City-owned property located at 131 9th Street. (Funding Source: Wastewater Fund)

- Resolution approving a two-month extension of the Lease with Juana Monreal and Jose Solis, individuals doing business as Liz Andrews Furniture, for City-owned property located at 131 9th Street, and authorizing the City Manager, or his designee, to execute the lease amendment.

UTILITIES; Cristian Ciotau, 209-571-5175, cciotau@modestogov.com

ACTION: (Wright/Escutia-Braaton; 6/0) Resolution 2025-132 approving a two-month extension of the Lease with Juana Monreal and Jose Solis, individuals doing business as Liz Andrews Furniture, for City-owned property located at 131 9th Street, and authorizing the City Manager, or his designee, to execute the lease amendment.

COUNCIL COMMENTS & REPORTS

Council Member Escutia-Braaton recognized Public Service Recognition Week and thanked the City's 1,500+ employees for their dedication. She also highlighted the successful completion of a three-day budget workshop, resulting in a balanced budget approved by the Finance Committee, now moving to the full Council for final approval.

Council Member Alvarez announced upcoming events in District 2: South Modesto Businesses United's Children's Day on April 26th, the West Modesto Community Collaborative's Cinco de Mayo celebration on May 2nd with a \$25 ticket, and SMU's Cinco de Mayo Parade on May 3rd, attended by local leaders.

Council Member Ricci praised Jerry Thompson for representing Modesto in Sacramento, mentioning Jay Leno driving his car. He then discussed ongoing issues with feral cat services, including a shortage of spay and neuter slots and poor customer service at Animal Services. Ricci expressed frustration with the lack of a TNR program and slow response times, calling for improvements and better community collaboration to address these issues.

Council Member Williams shared several updates, including his participation in the "Cops and Cars" event, a visit to the SR 911 center, and his appreciation for first responders. He also celebrated the birth of his fifth grandchild. He highlighted the upcoming 4th of July parade with the theme "Celebrating America's Youth" and announced the Modesto Fire Department as the hometown hero for their 150th anniversary. Williams encouraged participation in the Love Modesto event this Saturday, particularly in the "Beautify McHenry" project.

Mayor Zwahlen recognized Stanislaus Partners in Education for their work connecting businesses with schools to provide students and teachers career opportunities. She also highlighted Dispatch Appreciation Week at SR 911, where she joined Police Chief Gillespie to thank dispatchers for their crucial role in community safety.

CITY MANAGER COMMENTS & REPORTS

City Manager Lopez directed Mr. Solomon to the Measure H Oversight Board and the related webpage, which provides details on all Measure H revenue and expenditures.

NEW BUSINESS

18. Consider approving Agreements for the furnishing of Citywide Fuel-Card Lock services with Stan Boyett & Son, Inc. dba Boyett Petroleum, Modesto, CA; and Hunt & Sons, Inc., Ceres, CA for a total amount between all Agreements combined not to exceed \$23,198,063 over five years. (Funding Source: Fleet Fund, Outside Fire Contracts, and Stanislaus Regional Transit Authority)
 - Resolution approving Agreements for the furnishing of FuelCard-Lock Services with Stan Boyett & Son, Inc. dba Boyett Petroleum, Modesto, CA; and Hunt &

Sons, Inc., Ceres, CA for an annual combined estimated total of \$4,500,000 and a total amount between all Agreements combined not to exceed \$23,198,063 over five years; and authorizing the City Manager, or his designee, to execute the Agreements.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Williams/Ricci; 6/0) Resolution 2025-133 approving Agreements for the furnishing of FuelCard-Lock Services with Stan Boyett & Son, Inc. dba Boyett Petroleum, Modesto, CA; and Hunt & Sons, Inc., Ceres, CA for an annual combined estimated total of \$4,500,000 and a total amount between all Agreements combined not to exceed \$23,198,063 over five years; and authorizing the City Manager, or his designee, to execute the Agreements.

19. Consider approving the Plans and Specifications for the Sewer Trunk Rehabilitation on Grimes, Mercy and Woodland Project accepting the Bid and Awarding a Construction Contract to SAK Construction, LLC, of O’Fallon, MO, in the amount of \$22,830,295, authorizing 12% in contingency (if needed), for a total payment amount not to exceed \$25,569,931. (Funding Source: Wastewater Fund)

- Resolution approving the Plans and Specifications for the Sewer Trunk Rehabilitation on Grimes, Mercy and Woodland Project; accepting the Bid and Awarding a Construction Contract to SAK Construction, LLC, of O’Fallon, MO, in the amount of \$22,830,295, authorizing the Director of Engineering Services to approve Change Orders up to the cumulative amount of \$2,739,636, 12% of the original Contract price, for a total payment amount not to exceed \$25,569,931 and authorizing the City Manager, or his designee, to execute the Contract.
- Resolution amending the Fiscal Year 2024-25 Multi-Year Program Budget in the amount of \$26,823,000 to fund the Construction Phase of the Sewer Trunk Rehabilitation on Grimes, Mercy and Woodland Project and authorizing the City Manager, or his designee, to implement the provisions of the resolution.

UTILITIES; Cristian Ciotau, 209-571-5175, cciotau@modestogov.com

ACTION: (Alvarez/Williams; 6/0) Resolution 2025-134 approving the Plans and Specifications for the Sewer Trunk Rehabilitation on Grimes, Mercy and Woodland Project; accepting the Bid and Awarding a Construction Contract to SAK Construction, LLC, of O’Fallon, MO, in the amount of \$22,830,295, authorizing the Director of Engineering Services to approve Change Orders up to the cumulative amount of \$2,739,636, 12% of the original Contract price, for a total payment amount not to exceed \$25,569,931 and authorizing the City Manager, or his designee, to execute the Contract.

ACTION: (Alvarez/Williams; 6/0) Resolution 2025-135 amending the Fiscal Year 2024-25 Multi-Year Program Budget in the amount of \$26,823,000 to fund the Construction Phase of the Sewer Trunk Rehabilitation on Grimes, Mercy and Woodland Project and authorizing the City Manager, or his designee, to implement the provisions of the resolution.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:43 PM

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
SPECIAL AUDIT COMMITTEE / COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Wednesday, April 23, 2025 at 4:00 PM

Roll Call: Present: Sue Zwahlen, Chair, David Wright, Vice-Chair, Chris Ricci, Member,
Camille Garcia, Public Member

Absent: None

PUBLIC COMMENTS IN PERSON

None.

COMMENTS BY E-MAIL

None.

NEW BUSINESS

1. Consider the FY Internal Audit Status Report dated April 16, 2025. (Funding Source: Not Applicable)

- Motion to receive and file the Internal Audit Status Report dated April 16, 2025.

CITY AUDITOR; Colleen Rozillis, 206-302-6795, colleen.rozillis@mossadams.com

ACTION: (Wright/Garcia; 4/0) Motion to receive and file the Internal Audit Status Report dated April 16, 2025.

2. Consider the Audit Finding Validation Report dated April 15, 2025. (Funding Source: Not Applicable)

- Motion to receive and file the Audit Finding Validation report dated April 15, 2025.

CITY AUDITOR; Colleen Rozillis, 206-302-6795, colleen.rozillis@mossadams.com

ACTION: (Wright/Ricci; 4/0) Motion to receive and file the Audit Finding Validation report dated April 15, 2025.

3. Consider approving the Payroll Internal Controls Review report. (Funding Source: Not Applicable)

- Motion to approve the Payroll Internal Controls Review report and forward to Council for acceptance

CITY AUDITOR; Colleen Rozillis, 206-302-6795, colleen.rozillis@mossadams.com

ACTION: (Garcia/Wright; 4/0) Motion to approve the Payroll Internal Controls Review report and forward to Council for acceptance

4. Consider approving the Utilities Fiscal Review Performance Audit report. (Funding Source: Not Applicable)
- Motion to approve the Utilities Fiscal Review Performance Audit report and forward to Council for acceptance.
- CITY AUDITOR; Colleen Rozillis, 206-302-6795, colleen.rozillis@mossadams.com*

ACTION: (Garcia/Wright; 4/0) Motion to approve the Utilities Fiscal Review Performance Audit report and forward to Council for acceptance.

5. Consider approving the FY25-26 Internal Audit work plan. (Funding Source: Not Applicable)
- Motion to approve the FY25-26 Internal Audit work plan and forward to Council for acceptance.
- CITY AUDITOR; Colleen Rozillis, 206-302-6795, colleen.rozillis@mossadams.com*

ACTION: (Wright/Garcia; 3/1; Ricci-No) Motion to approve the FY25-26 Internal Audit work plan and forward to Council for acceptance.

6. Consider the Final Report of the Employment after Retirement Review conducted by California Public Employees' Retirement System (CalPERS) and forwarding to Council for approval. (Funding Source: Various Funds)
- Motion recommending accepting the Final Report of the Employment after Retirement Review conducted by California Public Employees' Retirement System (CalPERS) and forwarding to Council for approval.
- HUMAN RESOURCES; Dawn Kelley, 209-577-5490, dkelley@modestogov.com*

ACTION: (Wright/Mayor Zwahlen; 4/0) Motion recommending accepting the Final Report of the Employment after Retirement Review conducted by California Public Employees' Retirement System (CalPERS) and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 5:02 p.m.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
SPECIAL CANNABIS PROGRAM AND PERMIT REVIEW
COMMITTEE / COUNCIL WORKSHOP
2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, April 28, 2025 at 10:00 AM

Roll Call: Present: Committee Member Wright, Vice-Chair Ricci (Arrived at 10:01am),
Chair Zwahlen
Absent: None
Also Present: None

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEM 1 (Wright/Ricci; 3/0)

CONSENT

Consent

- 1 Consider approving a Commercial Cannabis Change in Ownership request for Legacy Nursery LLC. (Funding Source: Cannabis Annual Permit Fee)
 - Resolution approving a Commercial Cannabis Change in Ownership request resulting in Ann Endsley acquiring eighty percent (80%) of Legacy Nursery LLC.

CED; Sean Rando, 209-577-5473, srando@modestogov.com

ACTION: (Wright/Ricci; 3/0) Resolution 01-2025 approving a Commercial Cannabis Change in Ownership request resulting in Ann Endsley acquiring eighty percent (80%) of Legacy Nursery LLC.

HEARINGS

Published in the Modesto Bee on April 16, 2025.

- 2 Hearing to consider a relocation request of CR & D Inc. from 439 Maze Boulevard to 1313 McHenry Avenue and forwarding to Council for approval. (Funding Source: Cannabis Permit Application Fee)
 - Motion recommending the approval of the relocation request of CR & D Inc.

from 439 Maze Boulevard to 1313 McHenry Avenue with the granting of a residential proximity waiver and forwarding to Council for approval.
CED; Sean Rando, 209-577-5473, srando@modestogov.com

ACTION: (Ricci/Wright; 3/0) Motion recommending the approval of the relocation request of CR & D Inc. from 439 Maze Boulevard to 1313 McHenry Avenue with the granting of a residential proximity waiver and forwarding to Council for approval.

Published in the Modesto Bee on April 16, 2025.

- 3 Hearing to consider a relocation request of McHenry Business Services LLC from 500 East Glenn Avenue to 1300 North Carpenter Road Suite E and F and forwarding to Council for approval. (Funding Source: Cannabis Permit Application Fee)
- Motion recommending the approval of the relocation request of McHenry Business Services LLC from 500 East Glenn Avenue to 1300 North Carpenter Road Suite E and F and forwarding to Council for approval.
- CED; Sean Rando, 209-577-5473, srando@modestogov.com*

ACTION: (Wright/Ricci; 3/0) Motion recommending the approval of the relocation request of McHenry Business Services LLC from 500 East Glenn Avenue to 1300 North Carpenter Road Suite E and F and forwarding to Council for approval.

NEW BUSINESS

- 4 Consider the renewal of eight Commercial Cannabis Retail Permits for dispensaries in the City for a two-year period ending June 30, 2027, and forwarding to Council for approval. (Funding Source: Commercial Cannabis Permit Fee)
- Motion recommending the renewal of CR & D Inc's commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.
 - Motion recommending the renewal of CV Wellness LLC's commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.
 - Motion recommending the renewal of Jonesa LLC's commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.
 - Motion recommending the renewal of McHenry Comic Management LLC's commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.
 - Motion recommending the renewal of McHenry Business Services LLC's commercial cannabis microbusiness permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.
 - Motion recommending the renewal of DC Modesto LLC's commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.

- Motion recommending the renewal of Phenos Collective Inc’s commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.
- Motion recommending the renewal of Paradise West Inc’s commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.

CED; Sean Rando, 209-577-5473, srando@modestogov.com

ACTION: (Wright/Ricci; 3/0) Motion recommending the renewal of CR & D Inc’s commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.

ACTION: (Wright/Ricci; 3/0) Motion recommending the renewal of CV Wellness LLC’s commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.

ACTION: (Wright/Ricci; 3/0) Motion recommending the renewal of Jonesa LLC’s commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.

Committee Member Wright Conflict of Interest

ACTION: (Ricci/Zwahlen; 2/0; Wright Recused) Motion recommending the renewal of McHenry Comic Management LLC’s commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.

ACTION: (Wright/Ricci; 3/0) Motion recommending the renewal of McHenry Business Services LLC’s commercial cannabis microbusiness permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.

ACTION: (Wright/Ricci; 3/0) Motion recommending the renewal of DC Modesto LLC’s commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.

ACTION: (Wright/Ricci; 3/0) Motion recommending the renewal of Phenos Collective Inc’s commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.

ACTION: (Wright/Ricci; 3/0) Motion recommending the renewal of Paradise West Inc’s commercial cannabis retail permit for a two-year period ending June 30, 2027, and forwarding to Council for approval.

- 5 Consider an update regarding the use of Grant Funds provided through the Cannabis Program Providing Local Equity Development Grants and Education (PLEDGE). (Funding Source: Cannabis Equity Grant)

- Motion accepting an update regarding the use of Grant Funds provided through the Cannabis Program Providing Local Equity Development Grants and Education (PLEDGE).

CED; Sean Rando, 209-577-5473, srando@modestogov.com

ACTION: (Ricci/Wright; 3/0) Motion accepting an update regarding the use of Grant Funds provided through the Cannabis Program Providing Local Equity Development Grants and Education (PLEDGE).

- 6 Consider providing a recommendation regarding the two remaining unissued Commercial Cannabis Retail Permits and forwarding to Council for approval. (Funding Source: Cannabis Application Fee)

- Motion providing a recommendation regarding the two remaining unissued Commercial Cannabis Retail Permits and forwarding to Council for approval.

CED; Sean Rando, 209-577-5473, srando@modestogov.com

ACTION: (Zwahlen/Ricci; 3/0) Motion recommending all options regarding the two remaining unissued Commercial Cannabis Retail Permits be forwarded to Council for approval.

ADJOURNMENT

This meeting adjourned at 10:57 a.m.

Attest: _____
Reyna Mendoza, Deputy City Clerk

MINUTES
City of Modesto
ECONOMIC DEVELOPMENT COMMITTEE
COUNCIL WORKSHOP
2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, May 05, 2025 at 4:01 PM

Roll Call: Present: Committee Member Bavaro, Vice-Chair Zwahlen,
Chair Alvarez (*Arrived at 4:01 P.M.*)
Also Present: None
Absent: None

PUBLIC COMMENTS IN PERSON

None.

COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-9 (Bavaro/Zwahlen; 3/0)

CONSENT

Consent

1. Consider a Resolution of Intention to form the City of Modesto Community Facilities District (CFD) No. 2025-2 (Village One Triangle), an area bounded by Claus Road, East Briggsmore Avenue, and the railroad along North Santa Fe Avenue, and forwarding to Council for approval. (Funding Source: Developer Deposit)
 - Motion recommending a Resolution of Intention to form City of Modesto Community Facilities District (CFD) No. 2025-2 (Village One Triangle), designate a future annexation area, and forwarding to Council for approval.
CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Bavaro/Zwahlen; 3/0) Motion recommending a Resolution of Intention to form City of Modesto Community Facilities District (CFD) No. 2025-2 (Village One Triangle), designate a future annexation area, and forwarding to Council for approval.

Consent

2. Consider a Cooperative Agreement with Caltrans for the Project Approval and Environmental Document (PA&ED) Phase of the Briggsmore Avenue at State Route

99 and forwarding to Council for approval. (Funding Source: Measure L and Regional Surface Transportation Program (RSTP))

- Motion recommending a Cooperative Agreement with Caltrans for the Project Approval and Environmental Document (PA&ED) Phase of the Briggsmore Avenue at State Route 99 and forwarding to Council for approval.

ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Bavaro/Zwahlen; 3/0) Motion recommending a Cooperative Agreement with Caltrans for the Project Approval and Environmental Document (PA&ED) Phase of the Briggsmore Avenue at State Route 99 and forwarding to Council for approval.

Consent

3. Consider an Ordinance amending Section 8-10.102 “Membership of Commission” of Title 8, Chapter 10, “Citizens’ Transportation Sales Tax Commission” and amending the bylaws relating to membership requirements and forwarding to Council for approval. (Funding Source: Not Applicable)

- Motion recommending an Ordinance amending Section 8-10.102 “Membership of Commission” of Title 8, Chapter 10, “Citizens’ Transportation Sales Tax Commission” and the bylaws relating to membership requirements and forwarding to Council for approval.

ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Bavaro/Zwahlen; 3/0) Motion recommending an Ordinance amending Section 8-10.102 “Membership of Commission” of Title 8, Chapter 10, “Citizens’ Transportation Sales Tax Commission” and the bylaws relating to membership requirements and forwarding to Council for approval.

Consent

4. Consider a Memorandum of Understanding with the County of Stanislaus regarding reimbursement of costs related to the construction of Urban Pocket Area 9 – Colorado-Rouse Project and forwarding to Council for approval. (Funding Source: State Earmark Funds)

- Motion recommending a Memorandum of Understanding with the County of Stanislaus regarding reimbursement of costs related to the construction of Urban Pocket Area 9 – Colorado-Rouse Project and forwarding to Council for approval.

ENGINEERING SERVICES; Jaspreet Mangat, 209-577-5253, jmangat@modestogov.com

ACTION: (Bavaro/Zwahlen; 3/0) Motion recommending a Memorandum of Understanding with the County of Stanislaus regarding reimbursement of costs related to the construction of Urban Pocket Area 9 – Colorado-Rouse Project and forwarding to Council for approval.

Consent

5. Consider a Report on the upcoming Installation of Flush Lines at Wells No. 40, 41, and 265 Construction Project. (Funding Source: Water Fund)
- Motion accepting a Report on the upcoming Installation of Flush Lines at Wells No. 40, 41, and 265 Construction Project.
- UTILITIES; Edgar Vargas, 209-577-5424, evargas@modestogov.com*

ACTION: (Bavaro/Zwahlen; 3/0) Motion accepting a Report on the upcoming Installation of Flush Lines at Wells No. 40, 41, and 265 Construction Project.

Consent

6. Consider a Report on the upcoming 2018-2019 Lift Station Improvements Construction Project. (Funding Source: Wastewater Fund)
- Motion accepting a Report on the upcoming 2018-2019 Lift Station Improvements Construction Project.
- UTILITIES; Peter Barberis, 209-571-5544, pbarberis@modestogov.com*

ACTION: (Bavaro/Zwahlen; 3/0) Motion accepting a Report on the upcoming 2018-2019 Lift Station Improvements Construction Project.

Consent

7. Consider Agreements for the Hauling of Non-Hazardous Brine with B & B Harvesting, Inc. dba Cal Valley Trucking, Modesto, CA, and Sun Valley Transport, Inc., Hughson, CA, for a total combined amount not to exceed \$804,260 over five years and forwarding to Council for approval. (Funding Source: Water Fund)
- Motion recommending the Award of Bid and Agreements for the Hauling of Non-Hazardous Brine with B & B Harvesting, Inc. dba Cal Valley Trucking, Modesto, CA, and Sun Valley Transport, Inc., Hughson, CA, for a two year agreement with three one-year extension options, for an estimated annual amount of \$150,000 and a total combined amount not to exceed \$804,260 over five years, and forwarding to Council for approval.
- UTILITIES; Jeremy Parnell, 209-342-4568, jparnell@modestogov.com*

ACTION: (Bavaro/Zwahlen; 3/0) Motion recommending the Award of Bid and Agreements for the Hauling of Non-Hazardous Brine with B & B Harvesting, Inc. dba Cal Valley Trucking, Modesto, CA, and Sun Valley Transport, Inc., Hughson, CA, for a two year agreement with three one-year extension options, for an estimated annual amount of \$150,000 and a total combined amount not to exceed \$804,260 over five years, and forwarding to Council for approval.

Consent

8. Consider the Third Amendment with Univar Solutions USA, Kent, WA for the purchase and delivery of Sodium Hypochlorite – Liquid Chlorine increasing the Agreement amount by \$330,594 and a revised total amount not to exceed \$991,604 over five years and forwarding to Council for approval. (Funding Source: Water Fund)
- Motion recommending a Third Amendment to the Agreement with Univar Solutions USA, LLC, Kent, WA for the purchase and delivery of Sodium

Hypochlorite – Liquid Chlorine increasing the agreement amount by \$330,594 to a new total amount not to exceed \$991,604; and forwarding to Council for approval.

UTILITIES; Jeremy Parnell, 209-342-4599, jparnell@modestogov.com

ACTION: (Bavaro/Zwahlen; 3/0) Motion recommending a Third Amendment to the Agreement with Univar Solutions USA, LLC, Kent, WA for the purchase and delivery of Sodium Hypochlorite – Liquid Chlorine increasing the agreement amount by \$330,594 to a new total amount not to exceed \$991,604; and forwarding to Council for approval.

Consent

9. Consider the Agreements for Spoils Screening and Rock Crushing Services to California Rock Crusher Corp., Ripon, CA and K & D Enterprises Inc., Ceres, CA, for a total amount not to exceed \$1,608,495 over five years and forwarding to Council for approval. (Funding Source: Water, Wastewater and Surface Transportation Funds)
- Motion recommending the Award of Bid and Agreements for Spoils Screening and Rock Crushing Services to California Rock Crusher Corp., Ripon, CA and K & D Enterprises Inc., Ceres, CA, for a two-year agreement with three one-year extension options, for a combined estimated annual amount of \$300,000, and a total amount not to exceed \$1,608,495 over five years and forwarding to Council for approval.

UTILITIES; Jeremy Parnell, 209-342-4599, jparnell@modestogov.com

ACTION: (Bavaro/Zwahlen; 3/0) Motion recommending the Award of Bid and Agreements for Spoils Screening and Rock Crushing Services to California Rock Crusher Corp., Ripon, CA and K & D Enterprises Inc., Ceres, CA, for a two-year agreement with three one-year extension options, for a combined estimated annual amount of \$300,000, and a total amount not to exceed \$1,608,495 over five years and forwarding to Council for approval.

NEW BUSINESS

10. Consider the Modesto Tourism Marketing District Assessment Rate Change by 0.5% to 1.5% effective July 1, 2025, and by 0.5% to 2.0% effective July 1, 2026, and forwarding to Council for approval. (Funding Source: Modesto Tourism Marketing District)
- Motion recommending the Modesto Tourism Marketing District Assessment Rate Change by 0.5% to 1.5% effective July 1, 2025, and by 0.5% to 2.0% effective July 1, 2026, and forwarding to Council for approval.

CED; Trevin Barber, 209-577-5244, tbarber@modestogov.com

ACTION: (Zwahlen/Bavaro; 3/0) Motion recommending the Modesto Tourism Marketing District Assessment Rate Change by 0.5% to 1.5% effective July 1, 2025, and by 0.5% to 2.0% effective July 1, 2026, and forwarding to Council for approval.

11. Consider a Transient Occupancy Tax Funding Agreement and a Modesto Tourism Marketing District Owners' Association Agreement with Visit Modesto, Inc. for continued Tourism Marketing Services, through June 30, 2030, and forwarding to Council for approval. (Funding Source: General Fund, Modesto Tourism Marketing District)

- Motion recommending a five-year Transient Occupancy Tax Funding Agreement with Visit Modesto for continued Tourism Marketing Services, through June 30, 2030, and forwarding to Council for approval.
- Motion recommending a Modesto Tourism Marketing District Owners' Association Agreement with Visit Modesto, Inc. through June 30, 2030, for continued Tourism Marketing Services, and forwarding to Council for approval.

CED; Trevin Barber, 209-860-1251, tbarber@modestogov.com

ACTION: (Bavaro/Alvarez; 2/1, Zwahlen No) Motion recommending a nine-year Transient Occupancy Tax Funding Agreement with Visit Modesto for continued Tourism Marketing Services, through June 30, 2034, and increasing the Transient Occupancy Tax percentage by 3.67% from 13.33% with a total of 17%, and forwarding to Council for approval. **(MOTION REVISED BY COMMITTEE MEMBER BAVARO)**

ACTION: (Bavaro/Alvarez; 2/1, Zwahlen No) Motion recommending a Modesto Tourism Marketing District Owners' Association Agreement with Visit Modesto, Inc. through June 30, 2034, for continued Tourism Marketing Services, and forwarding to Council for approval. **(MOTION REVISED BY COMMITTEE MEMBER BAVARO)**

12. Consider the acceptance of the Economic Development Strategic Plan (2025) and forwarding to Council for approval. (Funding Source: Not Applicable)
- Motion recommending the acceptance of the Economic Development Strategic Plan (2025) and forwarding to Council for approval.

CED; Trevin Barber, 209-860-1251, tbarber@modestogov.com

ACTION: (Zwahlen/Bavaro; 3/0) Motion recommending the acceptance of the Economic Development Strategic Plan (2025) and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 5:13 P.M.

Attest: _____
Reyna Mendoza, Deputy City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, May 06, 2025 at 5:30 PM

Special City Council - Closed Session Meeting 4:32 p.m.:

Roll Call - Present: Councilmembers Bavaro, Ricci, Williams, Wright, Mayor Zwahlen
Absent: Councilmembers Alvarez, Escutia-Braaton

Regular City Council Meeting, 5:30 p.m.:

Roll Call - Present: Councilmembers Bavaro, Ricci, Williams, Wright, Mayor Zwahlen
Absent: Councilmembers Alvarez, Escutia-Braaton

Pledge of Allegiance to the Flag

Invocation: Rabbi Caitlin Bromberg, Congregation Beth Shalom

City Clerk’s Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: No Reportable Action

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring May 4th-10th as National Public Service Recognition Week.
(Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented a proclamation declaring May 4th-10th as National Public Service Recognition Week.

2. Proclamation declaring the month of May as National History Preservation Month.
(Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented a proclamation declaring the month of May as National History Preservation Month.

3. Proclamation declaring May as National Stroke Awareness Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented a proclamation declaring May as National Stroke Awareness Month.

PUBLIC COMMENT IN PERSON

- Arthur Fabela spoke in support of a stadium at the former Modesto golf course, highlighting the site's history and West Modesto's role in hosting community events. He proposed a fairground instead of residential development to preserve local culture, including graffiti shows and fireworks, and suggested a riverwalk and entertainment district near the river. He acknowledged upcoming city workshops on the issue.
- Loretta Carhart raised concerns about poorly maintained sidewalks in Modesto, particularly near Graceada Park, and asked for clarification on whether the city or property owners are responsible. She also reminded everyone about upcoming Veterans Day and Mother’s Day.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 4-13, 15-20 (Wright/Bavaro; 5/0)

CONSENT

Consent

4. Consider approving the minutes for the April 22, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the April 22, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Bavaro; 5/0) Motion approving the minutes for the April 22, 2025 Council Meeting.

Consent

5. Consider reaffirming the City of Modesto’s relationship with the City of Aguascalientes, Mexico as a Sister City. (Funding Source: General Fund)
 - Resolution reaffirming the City of Modesto’s relationship with the City of Aguascalientes, Mexico as a Sister City.
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: (Wright/Bavaro; 5/0) Resolution 2025-136 reaffirming the City of Modesto’s relationship with the City of Aguascalientes, Mexico as a Sister City.

Consent

6. Consider accepting the Payroll Internal Controls Review Report. (Funding Source: Not Applicable)
 - Motion accepting the Payroll Internal Controls Review Report.
CITY AUDITOR; Colleen Rozillis, 206-302-6795, colleen.rozillis@mossadams.com

ACTION: (Wright/Bavaro; 5/0) Motion accepting the Payroll Internal Controls Review Report.

Consent

7. Consider accepting the Utilities Fiscal Review Performance Audit Report. (Funding Source: Not Applicable)
- Motion accepting the Utilities Fiscal Review Performance Audit Report.
CITY AUDITOR; Colleen Rozillis, 206-302-6795, colleen.rozillis@mossadams.com

ACTION: (Wright/Bavaro; 5/0) Motion accepting the Utilities Fiscal Review Performance Audit Report.

Consent

8. Consider approving Fiscal Year 2025-26 Engineer's Report and setting a Public Hearing on June 24, 2025 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 Assessment District No. 1)
- Resolution accepting Fiscal Year 2025-26 Engineer's Annual 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 24, 2025 to consider the Fiscal Year 2025-26 Levy and Collection of Assessments Within Landscape Maintenance Assessment District No. 1.
CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Wright/Bavaro; 5/0) Resolution 2025-137 accepting Fiscal Year 2025-26 Engineer's Annual 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 24, 2025 to consider the Fiscal Year 2025-26 Levy and Collection of Assessments Within Landscape Maintenance Assessment District No. 1.

Consent

9. Consider approving the Fiscal Year 2025-26 Engineer's Annual Report and setting a Public Hearing on June 24, 2025 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 Assessment District No. 2)
- Resolution accepting the Fiscal Year 2025-26 Engineer's Annual Report for Landscape Maintenance Assessment District No. 2 for Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision, and Yosemite

Meadows Subdivisions Units 1 and 2; 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 Subdivisions Units 1 and 2; and setting a Public Hearing on June 24, 2025 to Consider the Fiscal Year 2025-26 Levy and Collection of Assessments Within Landscape Maintenance Assessment District No. 2.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Wright/Bavaro; 5/0) Resolution 2025-138 accepting the Fiscal Year 2025-26 Engineer's Annual Report for Landscape Maintenance Assessment District No. 2 for Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision, and Yosemite Meadows Subdivisions Units 1 and 2; 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 Subdivisions Units 1 and 2; and setting a Public Hearing on June 24, 2025 to Consider the Fiscal Year 2025-26 Levy and Collection of Assessments Within Landscape Maintenance Assessment District No. 2.

Consent

10. Consider accepting the Fiscal Year 2025-26 Engineer's Annual 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 June 24, 2025, to Consider the Fiscal Year 2025-26 Levy and Collection of Assessments within the Shackelford Landscape and Lighting District. (Funding Source: Shackelford Landscape and Lighting District)
- Resolution approving the Fiscal Year 2025-26 Engineer's Annual 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 June 24, 2025, to consider the Fiscal Year 2025-26 Levy and Collection of Assessments within the Shackelford Landscape and Lighting District.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Wright/Bavaro; 5/0) Resolution 2025-139 approving the Fiscal Year 2025-26 Engineer's Annual 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 June 24, 2025, to consider the Fiscal Year 2025-26 Levy and Collection of Assessments within the Shackelford Landscape and Lighting District.

Consent

11. Consider accepting the Rebid La Loma Phase 2C Strengthen & Replace Water Mains Project as complete, releasing securities, releasing payments totaling \$8,029,470 to Mozingo Construction, Inc., of Oakdale CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: Water Fund)

- Resolution accepting the Rebid La Loma Phase 2C Strengthen & Replace Water Mains Project as complete, releasing securities, releasing payments totaling \$8,029,470 to Mazingo Construction, Inc., of Oakdale CA, and authorizing the City Clerk to file a Notice of Completion.

ENGINEERING SERVICES; Peter Kambel, 209-577-5444, pkambel@modestogov.com

ACTION: (Wright/Bavaro; 5/0) Resolution 2025-140 accepting the Rebid La Loma Phase 2C Strengthen & Replace Water Mains Project as complete, releasing securities, releasing payments totaling \$8,029,470 to Mazingo Construction, Inc., of Oakdale CA, and authorizing the City Clerk to file a Notice of Completion.

Consent

12. Consider accepting the Monthly Investment Report for February 2025. (Funding Source: Various Funds)

- Motion accepting the Monthly Investment Report for February 2025.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Wright/Bavaro; 5/0) Motion accepting the Monthly Investment Report for February 2025.

Consent

13. Consider approving the Agreements for Maintenance, Repair and Operations Parts to Grainger Inc., Lake Forest, IL, and Fastenal Company Inc., Winona, MN for a total combined amount not to exceed \$3,128,524, over five years. (Funding Source: Various Funds)

- Resolution approving the Agreements for Maintenance, Repair and Operations Parts to Grainger Inc., Lake Forest, IL, and Fastenal Company Inc., Winona, MN for a two-year Agreement with three one-year extension options, for an annual combined estimated amount of \$583,500 and a total combined amount not to exceed \$3,128,524 over five years; and authorizing the Director of Finance to adjust agreement totals between vendors based on contractor's availability and department's needs, ensuring the combined total amount does not change and authorizing the Director of Finance, or her designee, to execute the Agreements.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Wright/Bavaro; 5/0) Resolution 2025-141 approving the Agreements for Maintenance, Repair and Operations Parts to Grainger Inc., Lake Forest, IL, and Fastenal Company Inc., Winona, MN for a two-year Agreement with three one-year extension options, for an annual combined estimated amount of \$583,500 and a total combined amount not to exceed \$3,128,524 over five years; and authorizing the Director of Finance to adjust agreement totals between vendors based on contractor's availability and department's needs, ensuring the combined total amount does not change and authorizing the Director of Finance, or her designee, to execute the Agreements.

Removed from Consent

Consent

14. Consider approving the purchase of Personal Computers (PC) and Laptops to Dell Technologies, Inc., Round Rock, TX for an amount not to exceed \$3,000,000 over four years. (Funding Source: Information Technology Fund)

- Resolution approving the Competitive Bidding Process from The State of Minnesota in partnership with NASPO ValuePoint, with Dell Technologies, Inc., Round Rock, TX for the purchase of Personal Computers and Laptops for an annual estimated amount \$750,000 and a total amount not to exceed \$3,000,000 over four years; and authorizing the Director of Finance or her designee to issue the Purchase Order.

FINANCE DEPARTMENT; Kyle Ford, 209-571-5508, kford@modestogov.com

ACTION: (Bavaro/Wright; 5/0) Resolution 2025-142 approving the Competitive Bidding Process from The State of Minnesota in partnership with NASPO ValuePoint, with Dell Technologies, Inc., Round Rock, TX for the purchase of Personal Computers and Laptops for an annual estimated amount \$750,000 and a total amount not to exceed \$3,000,000 over four years; and authorizing the Director of Finance or her designee to issue the Purchase Order.

Consent

15. Consider accepting the Annual Fire Inspection Report for 2024. (Funding Source: Not Applicable)

- Resolution accepting the Annual Fire Inspection Report for 2024.

FIRE DEPARTMENT; David Bickle, 209-571-5553, dbickle@modestofire.com

ACTION: (Wright/Bavaro; 5/0) Resolution 2025-143 accepting the Annual Fire Inspection Report for 2024.

Consent

16. Consider approving the Sole Source purchase of two LifePak15 Monitors and eight LUCAS devices from Stryker Medical, Chicago, IL for a total cost not to exceed \$323,525. (Funding Source: Measure H Fund, Emergency Medical Services Revenue (EMS) and General Fund)

- Resolution approving the Sole Source Purchase with Stryker Medical, Chicago, IL of two LifePak15 Monitors and eight LUCAS devices for a total cost not to exceed \$323,525 and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Wright/Bavaro; 5/0) Resolution 2025-144 approving the Sole Source Purchase with Stryker Medical, Chicago, IL of two LifePak15 Monitors and eight LUCAS devices for a total cost not to exceed \$323,525 and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

Consent

17. Consider an Agreement with American Medical Response West, Modesto, CA for reimbursement of costs for First Responder Services. (Funding Source: General Fund)
- Resolution approving an Agreement with American Medical Response West, Modesto, CA for reimbursement of costs for First Responder Services and authorizing the City Manager, or his designee, to execute the Agreement.
FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Wright/Bavaro; 5/0) Resolution 2025-145 approving an Agreement with American Medical Response West, Modesto, CA for reimbursement of costs for First Responder Services and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

18. Consider accepting the Modesto Police Department’s annual Military Equipment report, approving an Ordinance re-authorizing the department’s Military Equipment Use Policy (Policy 710) and authorizing the purchasing additional equipment that qualifies as “military equipment” in Fiscal Year 2025-2026. (Funding Source: General Fund, Supplemental Law Enforcement Services Fund, Asset Forfeiture Funds, and/or Police Grant Funds)
- Motion introducing and waiving the first reading of an Ordinance approving the Modesto Police Department’s Military Equipment Use Policy (Policy 710) in accordance with CA Assembly Bill 481, and approving the purchase of additional equipment that qualifies as “military equipment” in Fiscal Year 2025-2026 and rescinding Ordinance No. 3782-C.S.
 - Motion accepting the Modesto Police Department’s annual Military Equipment Report.
POLICE DEPARTMENT; Joseph Bottoms, 209-572-9500, bottoms@modestopd.com

ACTION: (Wright/Bavaro; 5/0) Motion introducing and waiving the first reading of an Ordinance approving the Modesto Police Department’s Military Equipment Use Policy (Policy 710) in accordance with CA Assembly Bill 481, and approving the purchase of additional equipment that qualifies as “military equipment” in Fiscal Year 2025-2026 and rescinding Ordinance No. 3782-C.S.

ACTION: (Wright/Bavaro; 5/0) Motion accepting the Modesto Police Department’s annual Military Equipment Report.

Consent

19. Consider approving a Purchasing Agreement with Telcion Communications Group, Turlock, CA, for ethernet switch equipment for a total amount not to exceed \$2,025,000 over five years. (Funding Source: Measure L)
- Resolution approving a Purchasing Agreement with Telcion Communications Group, Turlock, CA, by utilizing the Competitive Bid Process with National Intergovernmental Purchasing Alliance (National IPA), Merced County, for ethernet switch equipment, for a three year agreement with two one-year extension options, for an annual estimated amount of \$405,000, and a total

amount not to exceed \$2,025,000 over five years; and authorizing the Director of Finance, or her designee, to execute the Purchasing Agreement.

PUBLIC WORKS; Max Navarro, 209-571-5116, manavarro@modestogov.com

ACTION: (Wright/Bavaro; 5/0) Resolution 2025-146 approving a Purchasing Agreement with Telcion Communications Group, Turlock, CA, by utilizing the Competitive Bid Process with National Intergovernmental Purchasing Alliance (National IPA), Merced County, for ethernet switch equipment, for a three year agreement with two one-year extension options, for an annual estimated amount of \$405,000, and a total amount not to exceed \$2,025,000 over five years; and authorizing the Director of Finance, or her designee, to execute the Purchasing Agreement.

Consent

20. Consider approving the purchase of two Internalift Screw Pumps from Evoqua Water Technologies, of Thomasville, GA, for a total amount not to exceed \$3,411,840.

(Funding Source: Wastewater Fund Reserves)

- Resolution approving the Sole Source purchase from Evoqua Water Technologies, Thomasville, GA, of two Internalift Screw Pumps for an estimated cost of \$2,889,553, plus \$522,287 in contingency, if needed, for a total amount not to exceed \$3,411,840, and authorizing the Purchasing Manager, or her designee, to issue a Purchase Order; and authorizing the Department Director or his designee to execute any Change Orders not to exceed 20% of the total purchase price.
- Resolution amending the Fiscal Year 2024-25 Non-Capital Improvements Program budget to increase Project 101439 – Screw Pumps Replacement by \$3,386,840, from \$25,000, for a revised total amount not to exceed \$3,411,840, in transfers, revenue, and discretionary expenditures, and authorizing the City Manager, or his designee, to implement the provisions of the resolution.

UTILITIES; Jeff Daniels, 209-577-6255, jdaniels@modestogov.com

ACTION: (Wright/Bavaro; 5/0) Resolution 2025-147 approving the Sole Source purchase from Evoqua Water Technologies, Thomasville, GA, of two Internalift Screw Pumps for an estimated cost of \$2,889,553, plus \$522,287 in contingency, if needed, for a total amount not to exceed \$3,411,840, and authorizing the Purchasing Manager, or her designee, to issue a Purchase Order; and authorizing the Department Director or his designee to execute any Change Orders not to exceed 20% of the total purchase price.

ACTION: (Wright/Bavaro; 5/0) Resolution 2025-148 amending the Fiscal Year 2024-25 Non-Capital Improvements Program budget to increase Project 101439 – Screw Pumps Replacement by \$3,386,840, from \$25,000, for a revised total amount not to exceed \$3,411,840, in transfers, revenue, and discretionary expenditures, and authorizing the City Manager, or his designee, to implement the provisions of the resolution.

Removed from Consent

Consent

21. Consider approving the purchase of 14,426 square feet of real property located at 7111 McHenry Avenue, Stanislaus County, CA for \$76,500, plus \$15,000 in closing costs to be used for the Del Rio Well 70 Treatment System Project. (Funding Source: Water Fund)
- Resolution approving the purchase of 14,426 square feet of real property located at 7111 McHenry Avenue, Stanislaus County, CA owned by Larry Killian and Angelina Mary Killian, Trustees of The Killian Family Trust dated August 5, 1993; and Ronald D. Setliff and Shelley R. Setliff, Trustees of The Setliff 2018 Revocable Trust dated January 5, 2018; and Lenore Catherine Setliff Chladek, a married woman as her sole and separate property; and Arnold W. Setliff and Katherine L. Setliff, Trustees of the Norma Setliff Family Trust as set forth in the Setliff Revocable Trust dated April 19, 2004 for \$76,500, plus \$15,000 in closing costs, to be used for the Del Rio Well 70 Treatment System Project, and authorizing the City Manager, or his designee, to execute the Purchase and Sale Agreement and all related documents required to complete the transaction.
 - Resolution amending the Fiscal Year 2024-25 Capital Improvement Program Budget in the amount of \$91,500 to be transferred into the Project from Water Fund Reserves to fund the Del Rio Well 70 Treatment System Project and authorizing the City Manager, or his designee, to implement the provision of the Resolution.

UTILITIES; Edgar Vargas, 209-577-5424, evargas@modestogov.com

ACTION: (Wright/Williams; 5/0) Resolution 2025-149 approving the purchase of 14,426 square feet of real property located at 7111 McHenry Avenue, Stanislaus County, CA owned by Larry Killian and Angelina Mary Killian, Trustees of The Killian Family Trust dated August 5, 1993; and Ronald D. Setliff and Shelley R. Setliff, Trustees of The Setliff 2018 Revocable Trust dated January 5, 2018; and Lenore Catherine Setliff Chladek, a married woman as her sole and separate property; and Arnold W. Setliff and Katherine L. Setliff, Trustees of the Norma Setliff Family Trust as set forth in the Setliff Revocable Trust dated April 19, 2004 for \$76,500, plus \$15,000 in closing costs, to be used for the Del Rio Well 70 Treatment System Project, and authorizing the City Manager, or his designee, to execute the Purchase and Sale Agreement and all related documents required to complete the transaction.

ACTION: (Wright/Williams; 5/0) Resolution 2025-150 amending the Fiscal Year 2024-25 Capital Improvement Program Budget in the amount of \$91,500 to be transferred into the Project from Water Fund Reserves to fund the Del Rio Well 70 Treatment System Project and authorizing the City Manager, or his designee, to implement the provision of the Resolution.

COUNCIL COMMENTS & REPORTS

Council Member Williams shared updates on recent events, including the funeral for former MJC president Steve Collins, the Fire Walk sponsored by Sunrise Rotary supporting first responders and veterans, the Cinco de Mayo Parade, and the Hmong Christian Church's 40th

anniversary. He also highlighted the Community Foundation's \$50 million in community support, the reopening of Saint Mark, the National Day of Prayer, and the Love Modesto beautification project, thanking local businesses and volunteers for their help.

Council Member Ricci shared concerns about the Modesto Animal Shelter, citing community feedback and offering several recommendations. Key issues included the need to reinstate the defunded TNR (Trap-Neuter-Return) program to control the feral cat population, improve customer service and communication, streamline the intake process, and establish consistent veterinary support. Ricci also emphasized the need for clear euthanasia policies and greater transparency in the shelter's operations.

Vice-Mayor Bavaro congratulated Jair Juarez on his recent appointment as the new Battalion Chief of the Modesto Fire Department, highlighting his local roots, family business near Modesto High School, and dedication through extensive overtime work. Bavaro praised Juarez as an asset to the department and expressed the Council's support for his promotion.

Mayor Zwahlen reported on several community updates, including the full renovations and rededication celebrations at Marple Manor and Ralston Tower senior living facilities, ongoing park improvements like the restroom upgrades at Graceada Park, and the strong community use of parks. She also highlighted the Modesto Art Museum's transition, thanked Savemart for its local support, and acknowledged recent promotions and hirings in the fire and police departments.

CITY MANAGER COMMENTS & REPORTS

None.

NEW BUSINESS

22. Consider reviewing, providing comment and accepting the proposed Fiscal Year 25-26 Internal Audit Work Plan. (Funding Source: Not Applicable)
- Motion accepting the FY25-26 Internal Audit Work Plan.
- CITY AUDITOR; Colleen Rozillis, 206-302-6795, colleen.rozillas@mossadams.com*

ACTION: (Wright/Zwahlen; 4/1, Ricci No) Motion accepting the FY25-26 Internal Audit Work Plan.

23. Consider receiving Mayor Sue Zwahlen's Fiscal Year 2025-26 Final Budget Modifications Message per Charter Section 1303 for the Fiscal Year 2025-26 budget year (Funding Source: All City Funds)
- Motion receiving Mayor Sue Zwahlen's Fiscal Year 2025-26 Final Budget Modifications Message per Charter Section 1303 for the Fiscal Year 2025-26 budget year.
- BUDGET; Stephan Christensen, 209-577-5390, schristensen@modestogov.com*

ACTION: (Wright/Bavaro; 5/0) Motion receiving Mayor Sue Zwahlen’s Fiscal Year 2025-26 Final Budget Modifications Message per Charter Section 1303 for the Fiscal Year 2025-26 budget year.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:03 PM

Attest: _____
Diane Nayares-Perez, City Clerk

**MINUTES
City of Modesto
SAFETY AND COMMUNITIES COMMITTEE / COUNCIL
WORKSHOP**

**2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, May 12, 2025 at 4:00 PM**

Roll Call: Present: Committee Member Escutia-Braaton, Vice-Chair Ricci and Chair Williams
Absent: None

PUBLIC COMMENTS IN PERSON

None.

COMMENTS BY E-MAIL

None.

**CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-5 (Escutia-Braaton/Ricci; 3/0)**

CONSENT

Consent

1. Consider a Memorandum of Agreement (MOA) with Oakland Fire Department for participation in California Task Force 4 of the National Urban Search and Rescue Response System and forwarding to Council for approval. (Funding Source: General Fund)
 - Motion recommending a Memorandum of Agreement (MOA) with Oakland Fire Department for participation in California Task Force 4 of the National Urban Search and Rescue Response System and forwarding to Council for approval.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Escutia-Braaton/Ricci; 3/0) Motion recommending a Memorandum of Agreement (MOA) with Oakland Fire Department for participation in California Task Force 4 of the National Urban Search and Rescue Response System and forwarding to Council for approval.

Consent

2. Consider terms and conditions required by the California Office of Emergency Services for Reimbursement of City costs for Modesto Fire Department’s response to

incidents outside of the jurisdiction and forwarding to Council for approval. (Funding Source: Not Applicable)

- Motion recommending acceptance of the terms and conditions required by Cal OES for Reimbursement of City costs for Modesto Fire Department's response to incidents outside of the jurisdiction and forwarding to Council for approval.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Escutia-Braaton/Ricci; 3/0) Motion recommending acceptance of the terms and conditions required by Cal OES for Reimbursement of City costs for Modesto Fire Department's response to incidents outside of the jurisdiction and forwarding to Council for approval.

Consent

3. Consider a Three-Year Agreement with Locality Media, Inc dba First Due for Fire and EMS Software for a total amount not to exceed \$525,754 and forwarding to Council for approval. (Funding Source: Measure H Fund and Emergency Medical Services Project (EMS))

- Motion recommending the Sole Source Three-Year Agreement with Locality Media, Inc dba First Due, Garden City, NY for the cloud-based Fire and EMS Software for Three-Year Agreement for a total amount not to exceed \$525,754 and forwarding to Council for approval.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Escutia-Braaton/Ricci; 3/0) Motion recommending the Sole Source Three-Year Agreement with Locality Media, Inc dba First Due, Garden City, NY for the cloud-based Fire and EMS Software for Three-Year Agreement for a total amount not to exceed \$525,754 and forwarding to Council for approval.

Consent

4. Consider an Agreement with InTime Solutions, Ferndale, WA, for Scheduling and Time-Keeping Management Software for ongoing maintenance and support services for a total amount not to exceed \$278,377 and forwarding to Council for approval. (Funding Source: General Fund)

- Motion recommending the Agreement with InTime Solutions, Ferndale, WA, for Scheduling and Time-Keeping Management Software for a Five-Year Agreement for an estimated amount of \$267,670, with a 4% contingency in the amount of \$10,707, for total amount not to exceed \$278,377, and forwarding to Council for approval.

POLICE DEPARTMENT; Jessica Smart, 209-572-9500, smartj@modestopd.com

ACTION: (Escutia-Braaton/Ricci; 3/0) Motion recommending the Agreement with InTime Solutions, Ferndale, WA, for Scheduling and Time-Keeping Management Software for a Five-Year Agreement for an estimated amount of \$267,670, with a 4% contingency in the amount of \$10,707, for total amount not to exceed \$278,377, and forwarding to Council for approval.

Consent

- 5. Consider the submission of a Grant Application for the California Violence Intervention and Prevention (CalVIP) Grant Program to the Board of State and Community Corrections for up to \$2 million in grant funds and forwarding to Council for approval. (Funding Source: Police Grant Funds)
 - Motion recommending the submission of a Grant Application for the California Violence Intervention and Prevention (CalVIP) Grant Program to the Board of State and Community Corrections for up to \$2 million in grant funds and forwarding to Council for approval.

POLICE DEPARTMENT; Christopher Adams, 209-572-9500, adams@modestopd.com

ACTION: (Escutia-Braaton/Ricci; 3/0) Motion recommending the submission of a Grant Application for the California Violence Intervention and Prevention (CalVIP) Grant Program to the Board of State and Community Corrections for up to \$2 million in grant funds and forwarding to Council for approval.

NEW BUSINESS

- 6. Consider the update on the 2020-2025 Blight Abatement Strategy and adopting the 2025-2027 Blight Abatement Strategy and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the 2025-2027 Blight Abatement Strategy for adoption and forwarding to Council for approval.

CITY MANAGER; Allison Van Guilder, 209-577-5228, avanguilder@modestogov.com

ACTION: (Escutia-Braaton/Ricci; 3/0) Motion recommending the 2025-2027 Blight Abatement Strategy for adoption and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:27 p.m.

Attest: _____
Andrea Cook, Deputy City Clerk

AGENDA

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, May 13, 2025 at 5:30 PM

Special City Council - Closed Session Meeting 4:45 P.M.:

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting 5:30 P.M.:

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: Jeremy Brown, Chaplain from Doctors Medical Center

City Clerk’s Announcements: None.

Declaration of Conflicts of Interest: Items 13, 20, & 21 – Councilmember Alvarez

Reports from Closed Session: No reportable action.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring May 19th, 2025 as George Wallace Day in honor of the Modesto Fire Department’s 150th Anniversary. (Funding Source: Not Applicable)
FIRE DEPARTMENT; Jessica Hampton, 209-342-4555, jhampton@modestofire.com
ACTION: Mayor Zwahlen presented a proclamation declaring May 19th, 2025 as George Wallace Day in honor of the Modesto Fire Department’s 150th Anniversary.

2. Proclamation declaring May 17th - 18th, 2025 as Relay for Life Days. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented a proclamation declaring May 17th - 18th, 2025 as Relay for Life Days.

3. Proclamation declaring May 18th - 24th as National Public Works Week for 2025. (Funding Source: Not Applicable)

CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented a proclamation declaring May 18th - 24th as National Public Works Week for 2025.

MISCELLANEOUS

4. Consider accepting the resignation of Larry Sanders from the Citizen’s Housing and Community Development Committee. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of Larry Sanders from the Citizen’s Housing and Community Development Committee.

CED; Edgar Garcia, 209-571-5101, edgarcia@modestogov.com

ACTION: (Williams/Wright; 7/0) Resolution 2025-151 accepting the resignation of Larry Sanders from the Citizen’s Housing and Community Development Committee.

PUBLIC COMMENT IN PERSON

- Kimberly Molina, a manager for a free government phone program in Modesto, reports challenges complying with local code enforcement despite holding the required permits, LLC, and business license. She notes that other cities, such as Stockton, have a more straightforward process. Team members have received citations without the expected warning and fine progression, and she is requesting assistance from city leadership to continue operating.
- Marlys Jones addressed the Mayor regarding the same issue as the previous speaker and stated she plans to contact Allison, the Deputy City Manager, as suggested.
- Abraham Guzman, a 75-year resident of Modesto and long-time community volunteer, including work on local golf initiatives, requested that the City Council consider offering complimentary green fees at city golf courses for Modesto residents aged 90 and older. He noted that similar policies exist in other California cities.
- Danielle Morgart, representing Assemblyman Juan Alanis, provided a legislative update on AB 379. Initially, the Assembly voted to exclude 16- and 17-year-olds from sex trafficking protections in the bill. However, that decision was later reversed, and the original language has been restored. The bill is continuing through the legislative process.
- Keith Griffith provided feedback regarding his experience with city services following a house fire on August 30, 2024. He reported being billed for solid waste services despite the home being unoccupied for eight months and referenced municipal code 55.110. He suggested the city review this regulation to improve processes for residents in similar situations and acknowledged that city staff responded to his concerns.

- Steve addressed the Council on the anniversary of Brittony Estrella Chavez’s death, criticized past Council behavior, and requested a moment of silence for her and Paul Chavez Jr.
- Teresa Clutter, mother of Brittony Chavez, spoke on the upcoming one-year anniversary of her daughter’s death. She emphasized Brittony's efforts to seek justice for her husband, Paul Chavez Jr., who was killed by Modesto Police in 2022. Clutter called for improved officer training and accountability and asked the Council to remember Brittany and support her surviving children.
- Lucas thanked the Council for safety improvements at I and 16th Street and noted the installation of a pedestrian safety device. He also requested the addition of a similar safety feature at Tully and Pearl to protect students near Fremont Elementary School.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 5, 7-11, 14-17 (Bavaro/Wright; 7/0)

CONSENT

Consent

5. Consider approving the minutes for the May 6, 2025 Council Meeting. (Funding Source: Not Applicable)

Staff Recommendation:

- Motion approving the minutes for the May 6, 2025 Council Meeting.

CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Motion approving the minutes for the May 6, 2025 Council Meeting.

Removed from Consent

Consent

6. Consider approving Final Adoption of Ordinance 3794-C.S. approving the Modesto Police Department’s Military Equipment Use Policy (Policy 710) in accordance with Ca Assembly Bill 481, and approving the Purchase of additional equipment that qualifies as “Military Equipment” in Fiscal Year 2025-2026 and Rescinding Ordinance No. 3782-C.S. (Funding Source: Not Applicable)

Staff Recommendation:

- Motion approving Final Adoption of Ordinance 3794-C.S. approving the Modesto Police Department’s Military Equipment Use Policy (Policy 710) in accordance with Ca Assembly Bill 481, and approving the Purchase of additional equipment that qualifies as “Military Equipment” in Fiscal Year 2025-2026 and Rescinding Ordinance No. 3782-C.S.

CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Ricci; 7/0) Motion approving Final Adoption of Ordinance 3794-C.S. approving the Modesto Police Department’s Military Equipment Use Policy (Policy

710) in accordance with Ca Assembly Bill 481, and approving the Purchase of additional equipment that qualifies as “Military Equipment” in Fiscal Year 2025-2026 and Rescinding Ordinance No. 3782-C.S.

Consent

7. Consider approving the Third Amendment with CGI Technology and Solutions Inc., for the Software as a Service (SaaS) Agreement for the City of Modesto’s CGI Advantage Budget Software increasing the total Agreement amount by \$60,500. (Funding Source: All City Funds)

Staff Recommendation:

- Resolution approving the Third Amendment with CGI Technology and Solutions Inc., for the Software as a Service (SaaS) Agreement for the City of Modesto’s CGI Advantage Budget Software increasing the Agreement amount by \$60,050 for a revised total amount not to exceed \$1,675,850; and authorizing the City Manager or his designee to execute the Amendment.

BUDGET; Steve Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-152 approving the Third Amendment with CGI Technology and Solutions Inc., for the Software as a Service (SaaS) Agreement for the City of Modesto’s CGI Advantage Budget Software increasing the Agreement amount by \$60,050 for a revised total amount not to exceed \$1,675,850; and authorizing the City Manager or his designee to execute the Amendment.

Consent

8. 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 2025-26 and noticing a public hearing to be held on June 3, 2025, for Council’s consideration and adoption of the Fiscal Year 2025-26 Proposed Budget and related actions. (Funding Source: All City Funds)

Staff Recommendation:

- Resolution combining the City Manager’s Draft Budget and the Mayor’s Final Budget Modifications into the Proposed Budget for Fiscal Year 2025-26 and noticing a public hearing to be held on June 3, 2025, for Council’s consideration and adoption of the Fiscal Year 2025-26 Proposed Budget and related actions.

BUDGET; Steve Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-153 combining the City Manager’s Draft Budget and the Mayor’s Final Budget Modifications into the Proposed Budget for Fiscal Year 2025-26 and noticing a public hearing to be held on June 3, 2025, for Council’s consideration and adoption of the Fiscal Year 2025-26 Proposed Budget and related actions.

Consent

9. Consider approving the recommended budget adjustments to Fiscal Year 2024-25 Annual Operating and Capital Improvement Program Budgets. (Funding Source: Various Funds)

Staff Recommendation:

- Resolution amending Fiscal Year 2024-25 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.

BUDGET; Stephan Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-154 amending Fiscal Year 2024-25 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.

Consent

10. Consider a Cooperative Agreement with Caltrans for the Project Approval and Environmental Document (PA&ED) Phase of the Briggsmore Avenue at State Route 99. (Funding Source: Measure L and Regional Surface Transportation Program (RSTP))

Staff Recommendation:

- Resolution approving a Cooperative Agreement with Caltrans for the Project Approval and Environmental Document (PA&ED) Phase of the Briggsmore Avenue at State Route 99 and authorizing City Manager, or his designee, to execute the Cooperative Agreement.

ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-155 approving a Cooperative Agreement with Caltrans for the Project Approval and Environmental Document (PA&ED) Phase of the Briggsmore Avenue at State Route 99 and authorizing City Manager, or his designee, to execute the Cooperative Agreement.

Consent

11. Consider accepting the River Trunk Realignment Gravity System Project Rebid as complete, releasing securities, releasing payments totaling \$22,185,635 to Ranger Pipelines, Inc., of San Francisco CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: Wastewater Fund)

Staff Recommendation:

- Resolution accepting the River Trunk Realignment Gravity System Project Rebid as complete, releasing securities, releasing payments totaling \$22,185,635 to Ranger Pipelines, Inc., of San Francisco CA, and authorizing the City Clerk to file a Notice of Completion.

ENGINEERING SERVICES; Pete Kambel, 209-577-5444, pkambel@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-156 accepting the River Trunk Realignment Gravity System Project Rebid as complete, releasing securities, releasing

payments totaling \$22,185,635 to Ranger Pipelines, Inc., of San Francisco CA, and authorizing the City Clerk to file a Notice of Completion.

Removed from Consent

Consent

- 12. Consider approving the Plans and Specifications for the 2024 Park Security Lighting Project, accepting the Bid and Awarding a Construction Contract to Modesto Executive Electric, Inc. of Modesto, CA, in the amount not to exceed \$781,195. (Funding Source: Measure H)

Staff Recommendation:

- Resolution approving the Plans and Specifications for the 2024 Park Security Lighting Project, accepting the Bid and Awarding a Construction Contract to Modesto Executive Electrical, Inc. of Modesto, CA., in the amount of \$697,495, authorizing \$83,700, for contingency (if needed), for a total payment amount not to exceed \$781,195, and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution amending the Fiscal Year 2024-25 Capital Improvement Program budget to fund Project #101518 (Preventative Maintenance – Measure H), Project #101517 (Deferred Maintenance – Measure H) and Project #101602 (24/25 Preventative Maintenance – Measure H) in an amount not to exceed \$208,844 in transfers, revenue, and to budget expenditures to fund the project, and authorizing the City Manager, or his designee, to implement the provisions of this resolution.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-157 approving the Plans and Specifications for the 2024 Park Security Lighting Project, accepting the Bid and Awarding a Construction Contract to Modesto Executive Electrical, Inc. of Modesto, CA., in the amount of \$697,495, authorizing \$83,700, for contingency (if needed), for a total payment amount not to exceed \$781,195, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Wright/Williams; 7/0) Resolution 2025-158 amending the Fiscal Year 2024-25 Capital Improvement Program budget to fund Project #101518 (Preventative Maintenance – Measure H), Project #101517 (Deferred Maintenance – Measure H) and Project #101602 (24/25 Preventative Maintenance – Measure H) in an amount not to exceed \$208,844 in transfers, revenue, and to budget expenditures to fund the project, and authorizing the City Manager, or his designee, to implement the provisions of this resolution.

Removed from Consent

Consent

- 13. Consider amending the Annual Commercial Cannabis Permit Fees and Application Fee for operational and non-operational approved Cannabis businesses, reestablishing the Cannabis Application Permit Fee as a refundable deposit and adopting the Commercial

Cannabis Business Modification Request Deposits for changes in ownership and location. (Funding Source: Cannabis Fund)

Staff Recommendation:

- Resolution adopting an Amendment to the Annual Commercial Cannabis Permit Fee for City approved business, approving the Operational Annual Commercial Cannabis Permit Fee with an annual cost of \$22,821 and the Non-operational Annual Commercial Cannabis Permit Fee with an annual cost of \$3,991.
- Resolution approving an amendment to the Commercial Cannabis Permit Application Fee adjusting the fee to a \$6,380 refundable deposit.
- Resolution adopting Commercial Cannabis Business Modification Request deposits in the amount of \$2,000 for changes in ownership and \$5,000 for changes in location.

FINANCE DEPARTMENT; Gina Brown, 209-577-5381, gbrown@modestogov.com

ACTION: (Bavaro/Williams; 6/0; Alvarez Recused) Resolution 2025-159 adopting an Amendment to the Annual Commercial Cannabis Permit Fee for City approved business, approving the Operational Annual Commercial Cannabis Permit Fee with an annual cost of \$22,821 and the Non-operational Annual Commercial Cannabis Permit Fee with an annual cost of \$3,991.

ACTION: (Bavaro/Williams; 6/0; Alvarez Recused) Resolution 2025-160 approving an amendment to the Commercial Cannabis Permit Application Fee adjusting the fee to a \$6,380 refundable deposit.

ACTION: (Bavaro/Williams; 6/0; Alvarez Recused) Resolution 2025-161 adopting Commercial Cannabis Business Modification Request deposits in the amount of \$2,000 for changes in ownership and \$5,000 for changes in location.

Consent

14. Consider accepting an Informational Report on the January and February 2025 Grant Applications and Awards. (Funding Source: Not Applicable)

Staff Recommendation:

- Motion accepting an Informational Report for January and February 2025, Grant Applications.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Motion accepting an Informational Report for January and February 2025, Grant Applications.

Consent

15. Consider accepting an Informational Report for the March 2025 Accounts Payable Payment Register and Void Report. (Funding Source: Not Applicable)

Staff Recommendation:

- Motion accepting an Informational Report for the March 2025 Accounts Payable Payment Register and Void Report.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Motion accepting an Informational Report for the March 2025 Accounts Payable Payment Register and Void Report.

Consent

16. Consider amending the Culture Commission bylaws. (Funding Source: General Fund)

Staff Recommendation:

- Resolution amending the Culture Commission bylaws.

PRN; Diane Sheatsley, 209-577-5418, dsheatsley@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-162 amending the Culture Commission bylaws.

Consent

17. Consider approving a Service Agreement with Trinity Rivard, Tampa, FL for the installation of the 150th Anniversary Mural in the amount of \$25,000. (Funding Source: General Fund - Project 100880 - Art in Public Places)

Staff Recommendation:

- Resolution approving a Service Agreement with Trinity Rivard, Tampa, FL for the installation of the 150th Anniversary Mural in the amount of \$25,000, and authorizing the City Manager, or his designee, to execute the Agreement.

PRN; Diane Sheatsley, 209-577-5418, dsheatsley@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-163 approving a Service Agreement with Trinity Rivard, Tampa, FL for the installation of the 150th Anniversary Mural in the amount of \$25,000, and authorizing the City Manager, or his designee, to execute the Agreement.

COUNCIL COMMENTS & REPORTS

Vice Mayor Bavaro stated that the request regarding free golf fees for seniors is being reviewed by the golf committee before it can proceed to the Council. He also reported attending the Stanislaus County Peace Officers Memorial and noted the impact of fallen officers on communities. He also commented on Governor Newsom's new model ordinance for addressing homeless encampments, suggesting the state identify available properties and reopen mental health facilities to provide services for those experiencing homelessness.

Councilmember Williams reported that he was unable to attend the local Peace Officers Association services due to travel to Aguascalientes, Mexico, a Modesto sister city. He participated in workshops on web services, water management, and public safety, and met with city officials to strengthen the relationship between the two cities. He noted the city's large fair and expressed appreciation for the opportunity to represent Modesto.

Councilmember Ricci provided updates on local initiatives, including the upcoming opening of Jenny's Place, which will offer studio apartments for homeless youth and adults. He acknowledged efforts by city staff in securing a \$17 million grant for the project. He expressed support for a feasibility study on restarting flights at the Modesto Airport. He also attended the Modesto Police Department awards dinner and commended the department's work on crime reduction.

Councilmember Escutia-Braaton reported attending the Modesto Police Department's 25th Annual Awards Dinner, where officers were recognized for exceptional service. She also toured the Golden Valley Health Center clinics, highlighting their wide range of medical services and unique features such as integrated urgent care and a food pharmacy providing nonperishable items to patients in need.

Councilmember Alvarez announced a community forum hosted by the Modesto Police Department and District 2 on May 14 at the King Kennedy Center from 5:30 to 8:00 p.m. The event is intended for community members to ask questions, share concerns, and engage with local leaders.

Mayor Zwahlen reported attending the grand opening of the Center for Human Services Youth and Family Behavioral Health Center, which will provide mental health support to thousands annually. She also attended an event honoring Dr. Ludder as Physician of the Year for his pioneering work in cardiology and decades of service in Modesto.

CITY MANAGER COMMENTS & REPORTS

None.

HEARINGS

Published in the Modesto Bee on April 23, 2025

18. Hearing to consider a proposed Amendment to the Modesto Urban Area General Plan; Specific Plan Amendment No. 4 to the Tivoli Specific Plan; and Exceptions from the Tivoli Specific Plan's development and design standards for the Martin Property (NRB Investments, LLC). (Funding Source: Developer Fees)

Staff Recommendation:

- Resolution amending the Modesto Urban Area General Plan to Amend the Land Use Element to change 12.66 acres from Regional Commercial uses to Residential uses. (NRB Investments, LLC).
- Resolution approving Specific Plan Amendment No. 4 to the Tivoli Specific Plan, and exceptions to the design standards for reduced setbacks and lot sizes for lots. (NRB Investments, LLC).

CED; Michael Hren, 209-577-5273, mhren@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 7/0) Resolution 2025-164 amending the Modesto Urban Area General Plan to Amend the Land Use Element to change 12.66 acres from Regional Commercial uses to Residential uses. (NRB Investments, LLC).

ACTION: (Ricci/Bavaro; 7/0) Resolution 2025-165 approving Specific Plan Amendment No. 4 to the Tivoli Specific Plan, and exceptions to the design standards for reduced setbacks and lot sizes for lots. (NRB Investments, LLC).

Published in the Modesto Bee on April 23, 2025

19. Hearing to consider the adoption of a proposed Development Agreement between the City of Modesto and DASCO Olivewood LLC regarding Area Plan No. 6 of the Tivoli Specific Plan. (Funding Source: Developer Funded)

Staff Recommendation:

- Resolution approving that the following subsequent project is within the scope of the Tivoli Specific Plan Final Environmental Impact Report (SCH 2005072125): Development Agreement by and between the City of Modesto and DASCO Olivewood LLC regarding Area Plan No. 6 of the Tivoli Specific Plan.
- Motion introducing and waiving the first reading of an Ordinance approving a Development Agreement by and between the City of Modesto and DASCO Olivewood LLC regarding Area Plan No. 6 of the Tivoli Specific Plan. (DASCO Olivewood LLC and City of Modesto).

CED; Katharine Martin, 209-577-5465, kamartin@modestogov.com

ACTION: (Ricci/Bavaro; 7/0) Resolution 2025-166 approving that the following subsequent project is within the scope of the Tivoli Specific Plan Final Environmental Impact Report (SCH 2005072125): Development Agreement by and between the City of Modesto and DASCO Olivewood LLC regarding Area Plan No. 6 of the Tivoli Specific Plan.

ACTION: (Ricci/Zwahlen; 7/0) Motion introducing and waiving the first reading of an Ordinance approving a Development Agreement by and between the City of Modesto and DASCO Olivewood LLC regarding Area Plan No. 6 of the Tivoli Specific Plan. (DASCO Olivewood LLC and City of Modesto).

Recessed at 7:30 P.M.

Reconvened at 7:36 P.M.

Councilmember Alvarez left at 7:30 P.M.

Published in the Modesto Bee on April 30, 2025.

20. Hearing to consider a relocation request of CR & D Inc. from 439 Maze Boulevard to 1313 McHenry Avenue. (Funding Source: Cannabis Permit Application Fee)

Staff Recommendation:

- Resolution approving the relocation request of CR & D Inc. from 439 Maze Boulevard to 1313 McHenry Avenue with the granting of a residential proximity waiver.

CED; Sean Rando, 209-577-5473, srando@modestogov.com

ACTION: (Wright/Ricci; 5/1; Bavaro No; Alvarez Recused) Resolution 2025-167 approving the relocation request of CR & D Inc. from 439 Maze Boulevard to 1313 McHenry Avenue with the granting of a residential proximity waiver.

Published in the Modesto Bee on April 30, 2025.

- 21. Hearing to consider a relocation request of McHenry Business Services LLC from 500 East Glenn Avenue to 1300 North Carpenter Road Suite E and F. (Funding Source: Cannabis Permit Application Fee)

Staff Recommendation:

- Resolution approving the relocation request of McHenry Business Services LLC from 500 East Glenn Avenue to 1300 North Carpenter Road Suite E and F.

CED; Sean Rando, 209-577-5473, srando@modestogov.com

ACTION: (Ricci/Wright; 6/0; Alvarez Recused) Resolution 2025-168 approving the relocation request of McHenry Business Services LLC from 500 East Glenn Avenue to 1300 North Carpenter Road Suite E and F.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:52 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
FINANCE COMMITTEE / COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, May 19, 2025 at 4:00 PM

Roll Call: Present: Committee Member Bavaro, Vice-Chair Wright and Chair Escutia-Braaton
Absent: None
Also Present: None

PUBLIC COMMENTS IN PERSON

None.

COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-9 (Wright/Bavaro; 3/0)

CONSENT

Consent

1. Consider the recommended budget adjustments to Fiscal Year 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the budget adjustments to 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.

BUDGET; Steve Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the budget adjustments to 2024-25 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.

Consent

2. Consider the updates to the City’s Investment Policy and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the updates to the City’s Investment Policy and forwarding to Council for approval.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the updates to the City's Investment Policy and forwarding to Council for approval.

Consent

3. Consider a list of projects to be funded with Road Repair and Accountability Act Tax Proceeds for Fiscal Year 2025-2026 and forwarding to Council for approval. (Funding Source: Senate Bill 1 Funds)

- Motion recommending a list of projects to be funded with Road Repair and Accountability Act Tax Proceeds in an amount up to \$5,753,385 and forwarding to Council for approval.

PUBLIC WORKS; John Sphar, 209-342-2235, jsphar@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending a list of projects to be funded with Road Repair and Accountability Act Tax Proceeds in an amount up to \$5,753,385 and forwarding to Council for approval.

Consent

4. Consider the Agreement for Tire Technician Services for Fleet Services to McCoy Truck Tire Service Center, Modesto, CA for a total amount not to exceed \$614,361 over five years and forwarding to Council for approval. (Funding Source: Fleet Management Fund)

- Motion recommending the Award of Bid and Agreement for Tire Technician Services for Fleet Services to McCoy Truck Tire Service Center, Modesto, CA for two-year agreement with three one-year extension options, for annual estimated annual cost of \$120,000 and a total amount not to exceed \$614,361 over five years and forwarding to Council for approval.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Award of Bid and Agreement for Tire Technician Services for Fleet Services to McCoy Truck Tire Service Center, Modesto, CA for two-year agreement with three one-year extension options, for annual estimated annual cost of \$120,000 and a total amount not to exceed \$614,361 over five years and forwarding to Council for approval.

Consent

5. Consider the extension of the Compost Facility Flexible Sales Pricing Pilot Program, originally approved on April 2, 2019, for a five-year extension effective August 1, 2025, through July 31, 2030, and forwarding to Council for approval. (Funding Source: Compost Fund)

- Motion recommending the extension of the Compost Facility Flexible Sales Pricing Pilot Program for a five-year extension effective August 1, 2025, through July 31, 2030; and forwarding to Council for approval.

PUBLIC WORKS; Guillermo Padilla Aguilera, 209-571-5145, gaguilera@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the extension of the Compost Facility Flexible Sales Pricing Pilot Program for a five-year extension effective August 1, 2025, through July 31, 2030; and forwarding to Council for approval.

Consent

6. Consider the submittal of Grant Applications, accepting Grant Awards, and amending the annual budgets for all Used Oil Payment Program Grants to California Department of Resources and Recovery, and forwarding to Council for approval. (Funding Source: Not Applicable)
- Motion recommending the submittal of Grant Applications, accepting Grant Awards, and amending the annual budgets for all Used Oil Payment Program Grants to California Department of Resources and Recovery; and forwarding to Council for approval.

PUBLIC WORKS; Kolton Pacheco, 209-577-5493, kpacheco@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the submittal of Grant Applications, accepting Grant Awards, and amending the annual budgets for all Used Oil Payment Program Grants to California Department of Resources and Recovery; and forwarding to Council for approval.

Consent

7. Consider the submittal of 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)
- Motion recommending the submittal of Grant Applications, accepting Grant Awards, and amending the annual budgets for all the Beverage Container Recycling City/County Payment Program Grants to California Department of Resources Recycling and Recovery; and forwarding to Council for approval.

PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the submittal of Grant Applications, accepting Grant Awards, and amending the annual budgets for all the Beverage Container Recycling City/County Payment Program Grants to California Department of Resources Recycling and Recovery; and forwarding to Council for approval.

Consent

8. Consider the First Amendment with HDR Engineering, Inc., of Folsom, CA to complete assigned work and to gain Regulatory Compliance for the Carpenter Road Landfill, Modesto California, increasing the Agreement amount by \$47,800 and forwarding to Council for approval. (Funding Source: Carpenter Road Landfill)
- Motion recommending the First Amendment with HDR Engineering, Inc to complete assigned work and to gain Regulatory Compliance for the Carpenter Road Landfill, Modesto California, increasing the Agreement amount by

\$47,800 to a new total amount of \$351,450 through the term of the Agreement; and forwarding to Council for approval.

PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the First Amendment with HDR Engineering, Inc to complete assigned work and to gain Regulatory Compliance for the Carpenter Road Landfill, Modesto California, increasing the Agreement amount by \$47,800 to a new total amount of \$351,450 through the term of the Agreement; and forwarding to Council for approval.

Consent

- 9. Consider the Second Amendment with HDR Engineering, Inc. Folsom, Ca for the Feasibility Study for Compost, increasing the Agreement amount by \$94,658 over the term of the Agreement, and forwarding to Council for approval. (Funding Source: Compost Facility Improvement Fund)

- Motion recommending the Second Amendment with HDR Engineering, Inc. for the Feasibility Study for Compost, increasing the Agreement amount by \$94,658 to a revised total amount not to exceed \$287,775 over the term of the Agreement and forwarding to Council for approval.

PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Second Amendment with HDR Engineering, Inc. for the Feasibility Study for Compost, increasing the Agreement amount by \$94,658 to a revised total amount not to exceed \$287,775 over the term of the Agreement and forwarding to Council for approval.

NEW BUSINESS

- 10. Consider the updates to the City’s Debt Management Policy and forwarding to Council for approval. (Funding Source: Not Applicable)

- Motion recommending the updates to the City’s Debt Management Policy and forwarding to Council for approval.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Bavaro/Wright; 3/0) Motion recommending the updates to the City’s Debt Management Policy and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:26 p.m.

Attest: _____
Andrea Cook, Deputy City Clerk

MINUTES
City of Modesto
ECONOMIC DEVELOPMENT COMMITTEE / COUNCIL 2001-40
Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, June 02, 2025 at 4:00 PM

Roll Call: Present: Committee Member Bavaro, Vice-Chair Zwahlen, Chair Alvarez
Absent: None

PUBLIC COMMENTS IN PERSON

None.

COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-5 (Zwahlen/ Bavaro; 3/0)

CONSENT

Consent

1. Consider Annexation Map #1 to the City of Modesto Community Facilities District No. 2024-1 (Tivoli) and authorizing the levy of special tax on the property located within the annexation map and forwarding to Council for approval. (Funding Source: Developer Deposit)

- Motion recommending Annexation Map #1 to the City of Modesto Community Facilities District No. 2024-1(Tivoli) and authorizing the levy of special tax on the property located within the annexation map and forwarding to Council for approval.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Zwahlen/Bavaro; 3/0) Motion recommending Annexation Map #1 to the City of Modesto Community Facilities District No. 2024-1(Tivoli) and authorizing the levy of special tax on the property located within the annexation map and forwarding to Council for approval.

Consent

2. Consider a Cost Sharing Agreement with the County of Stanislaus for the construction of the Urban Pavement Preservation Phase G and Phase H Projects and forwarding to Council for approval. (Funding Source: Measure L)

- Motion recommending a Cost Sharing Agreement with the County of Stanislaus for the construction of the Urban Pavement Preservation Phase G and Phase H Projects and forwarding to Council for approval.

ENGINEERING SERVICES; Toby Wells, 209-577-5542, twells@modestogov.com

ACTION: (Zwahlen/Bavaro; 3/0) Motion recommending a Cost Sharing Agreement with the County of Stanislaus for the construction of the Urban Pavement Preservation Phase G and Phase H Projects and forwarding to Council for approval.

Consent

3. Consider the submittal of up to eight Federal Grant applications for Congestion Mitigation and Air Quality (CMAQ) and Surface Transportation Block Grant (STBG) Funds and forwarding to Council for approval. (Funding Source: Federal CMAQ Grant Funds, Federal STBG Grant Funds and Local Funds – Measure L)

- Motion recommending the submittal of up to eight Federal Grant applications for Congestion Mitigation and Air Quality (CMAQ) and Surface Transportation Block Grant (STBG) Funds and forwarding to Council for approval.

ENGINEERING SERVICES; Michael Sacuskie, 209-571-5552, msacuskie@modestogov.com

ACTION: (Zwahlen/Bavaro; 3/0) Motion recommending the submittal of up to eight Federal Grant applications for Congestion Mitigation and Air Quality (CMAQ) and Surface Transportation Block Grant (STBG) Funds and forwarding to Council for approval.

Consent

4. Consider the Sole Source Procurement of a Caterpillar C27 Tier 4 Engine, or equivalent engine meeting Air Board regulations, to Holt of California, Sacramento, CA for an amount not to exceed \$271,720, and forwarding to Council for approval. (Funding Source: Compost Operations Fund)

- Motion recommending the Sole Source Procurement of a Caterpillar C27 Tier 4 Engine, or equivalent engine meeting Air Board regulations, to Holt of California, Sacramento, CA for an amount not to exceed \$271,720 including a 15% contingency for the repower of the Compost Diamond Z DZH5000 Horizontal and forwarding to Council for approval.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Zwahlen/Bavaro; 3/0) Motion recommending the Sole Source Procurement of a Caterpillar C27 Tier 4 Engine, or equivalent engine meeting Air Board regulations, to Holt of California, Sacramento, CA for an amount not to exceed \$271,720 including a 15% contingency for the repower of the Compost Diamond Z DZH5000 Horizontal and forwarding to Council for approval.

Consent

5. Consider confirming the detachment of a non-contiguous City property deeded to Reclamation District 2091 and forwarding to Council for approval. (Funding Source: Sewer Operations Fund)
- Motion confirming detachment of a non-contiguous City of Modesto of non-contiguous City properties deeded to Reclamation District 2091, reverting the property back to unincorporated status within the County of Stanislaus and forwarding to Council for approval.

UTILITIES; Jeff Daniels, 209-577-6255, jdaniels@modestogov.com

ACTION: (Zwahlen/Bavaro; 3/0) Motion confirming detachment of a non-contiguous City of Modesto of non-contiguous City properties deeded to Reclamation District 2091, reverting the property back to unincorporated status within the County of Stanislaus and forwarding to Council for approval.

NEW BUSINESS

6. Consider an Architectural Services Agreement with RED INC Architects, of Modesto, CA, for the Fire Station 1 Rehabilitation and Tenant Improvements Project in the amount of \$429,490, plus \$42,949, if needed, for an Agreement total not to exceed \$472,439 and forwarding to Council for approval. (Funding Source: America Rescue Plan Act Grants Fund)
- Motion recommending an Architectural Services Agreement with RED INC Architects, of Modesto, CA for the Fire Station 1 Rehabilitation and Tenant Improvements Project in the amount of \$429,490, plus \$42,949, if needed, for an Agreement total not to exceed \$472,439, and forwarding to Council for approval.

UTILITIES; Cristian Ciotau, 209-571-5175, cciotau@modestogov.com

ACTION: (Bavaro/Zwahlen; 3/0) Motion recommending an Architectural Services Agreement with RED INC Architects, of Modesto, CA for the Fire Station 1 Rehabilitation and Tenant Improvements Project in the amount of \$429,490, plus \$42,949, if needed, for an Agreement total not to exceed \$472,439, and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:16 P.M.

Attest: _____
Dana Sanchez, Assistant City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, June 03, 2025 at 5:30 PM

Special City Council - Closed Session Meeting 4:30 P.M.:

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting 5:30 P.M.:

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: Marvin Jacobo, City Ministry Network

City Clerk’s Announcements: None.

Declaration of Conflicts of Interest: None.

Reports from Closed Session: No reportable action.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring June as LGBTQ+ Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented a proclamation declaring June as LGBTQ+ Month.

PUBLIC COMMENT IN PERSON

- Vicki Morales stated appreciation to the Council for their work and the positive changes brought by Measure H funding. She highlighted improvements such as timely tree trimming and stump removal, better tree watering methods, and cleaner walkways. These changes have enhanced neighborhood appearance, safety, and community morale, especially on Modesto’s west side.

- Dean Richardson, member of Urban Forest Modesto, praised recent community events like Porch Fest and the upcoming Graffiti Weekend. He highlighted the positive impact of Measure H, noting improved public safety and revitalized parks. He emphasized the Forestry Division's efforts, including the removal of nearly 1,000 dead trees and the planting of 500 new ones in 2024. Richardson called for continued support for the City's urban forest, envisioning it as a long-term asset that enhances quality of life for all residents.
- Susan Beasley introduced Brad Hart as the new conductor of the Modesto Band (MoBand). A Modesto native, Hart expressed excitement about leading the band's 106th season, highlighting community support and participation. The summer concert series kicks off Thursday at Graceada Park, celebrating local music and events like Graffiti Weekend.
- Maya Carter spoke on behalf of low-income individuals struggling to find housing. She shared her own experience of being repeatedly denied despite having money and credit, due to lack of rental history. Application fees were a financial burden, and some agencies were unhelpful. She emphasized that many people aren't trying to take advantage; they just want a stable home. Now in recovery and housed at Jenny's Place, she called for better solutions to support those in need.
- Benjamin Nutall, a new business owner, urged the City to better support Black-owned businesses, particularly on the west side. He expressed concern about lack of visibility and outreach to the Black community, unequal treatment by law enforcement, and the need for dedicated vendor spaces similar to those for Latino vendors. He called for more inclusive support and opportunities to uplift the community.
- Terrence Lane, co-owner of the soul food business *Hotter Than Fish Grease*, called for fair treatment of Black-owned businesses in Modesto. He shared concerns about unequal enforcement and permit requirements compared to other communities and described a police officer encounter he felt was excessive. Lane emphasized the need for City support, fairness, and equal opportunity for the small number of Black-owned businesses in the area.
- Milt Trieweiler urged the Council to protect local farmland from urban sprawl and development. He emphasized the region's uniquely fertile soil and water resources, warning that paving over this land would jeopardize future food production. He called for smarter growth, building upward instead of outward, and stressed the responsibility to preserve farmland for future generations.
- Sebastian Jones expressed frustration over racial disparities in how Black street vendors are treated in Modesto. He criticized a recent incident where police used flashing lights and aggressive tactics to confront a young Black food vendor, calling it unfair and harmful. Jones called for equal treatment, better support for Black-owned businesses, and accountability for police behavior. He urged the City to promote fairness and support local entrepreneurs instead of discouraging them through over-policing.

- Kevin McClarty raised concerns about the lack of 24-hour pharmacies in Modesto, specifically noting that the McHenry Walgreens reduced hours due to theft. He believes conditions have improved with stricter enforcement of shoplifting laws by the District Attorney and Modesto Police. McClarty urged the City Council to contact Walgreens and CVS to encourage them to consider reopening 24-hour pharmacy services now that theft is being better controlled.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 2-17, 19-21 (Wright/Bavaro; 7/0)

CONSENT

Consent

2. Consider approving the minutes for the May 13, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the May 13, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Motion approving the minutes for the May 13, 2025 Council Meeting.

Consent

3. Consider approving Final Adoption of Ordinance 3795-C.S. approving a Development Agreement by and between the City of Modesto and Dasco Olivewood LLC. regarding Area Plan No. 6 of the Tivoli Specific Plan (Dasco Olivewood LLC. and City of Modesto) (Funding Source: Not Applicable)
 - Motion approving Final Adoption of Ordinance 3795-C.S. approving a Development Agreement by and between the City of Modesto and Dasco Olivewood LLC. regarding Area Plan No. 6 of the Tivoli Specific Plan (Dasco Olivewood LLC. and City of Modesto)
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Motion approving Final Adoption of **Ordinance 3795-C.S.** approving a Development Agreement by and between the City of Modesto and Dasco Olivewood LLC. regarding Area Plan No. 6 of the Tivoli Specific Plan (Dasco Olivewood LLC. and City of Modesto)

Consent

4. Consider approving the City of Modesto Two-Year 2025 and 2026 Strategic Plan as developed in coordination with the City Council. (Funding Source: Not Applicable)
 - Resolution approving the Citywide Two-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.
BUDGET; Stephan Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-169 approving the Citywide Two-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.

Consent

5. Consider approving the recommended budget adjustments to Fiscal Year 2024-25 Annual Operating and Capital Improvement Program Budgets. (Funding Source: Various Funds)
- Resolution amending Fiscal Year 2024-25 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.
- BUDGET; Kacey Culbertson, 209-571-5855, kculbertson@modestogov.com*

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-170 amending Fiscal Year 2024-25 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.

Consent

6. Consider approving a Transient Occupancy Tax Funding Agreement with a term ending June 30, 2030, and a Modesto Tourism Marketing District Owners' Association Agreement with Visit Modesto, Inc. with a term date ending June 30, 2034, for continued Tourism Marketing Services. (Funding Source: General Fund, Modesto Tourism Marketing District)
- Resolution approving a Transient Occupancy Tax Funding Agreement with Visit Modesto for continued Tourism Marketing Services, through June 30, 2030, and authorizing the City Manager, or his designee, to execute the Agreement.
 - Resolution approving a Modesto Tourism Marketing District Owners' Association Agreement with Visit Modesto, Inc. through June 30, 2034, and authorizing the City Manager, or his designee, to execute the Agreement.
- CED; Trevin Barber, 209-860-1251, tbarber@modestogov.com*

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-171 approving a Transient Occupancy Tax Funding Agreement with Visit Modesto for continued Tourism Marketing Services, through June 30, 2030, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-172 approving a Modesto Tourism Marketing District Owners' Association Agreement with Visit Modesto, Inc. through June 30, 2034, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

7. Consider approving the Modesto Tourism Marketing District Assessment Rate Change by 0.5% to 1.5% effective July 1, 2025, and by 0.5% to 2.0% effective July 1, 2026. (Funding Source: Modesto Tourism Marketing District)

- Resolution approving the Modesto Tourism Marketing District Assessment Rate Change by 0.5% to 1.5% effective July 1, 2025, and by an additional 0.5% to 2.0% effective July 1, 2026.

CED; Trevin Barber, 209-577-5244, tbarber@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-173 approving the Modesto Tourism Marketing District Assessment Rate Change by 0.5% to 1.5% effective July 1, 2025, and by an additional 0.5% to 2.0% effective July 1, 2026.

Consent

8. Consider accepting the Monthly Investment Report for March 2025. (Funding Source: Various Funds)

- Motion accepting the Monthly Investment Report for March 2025.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Motion accepting the Monthly Investment Report for March 2025.

Consent

9. Consider accepting an informational report on the March and April 2025 grant applications and awards. (Funding Source: Not Applicable)

- Motion accepting an informational report for March and April 2025, grant applications.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Motion accepting an informational report for March and April 2025, grant applications.

Consent

10. Consider approving the Fiscal Year 2025-2026 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 2025-2026 annual budget.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-174 establishing the appropriation limit for the Fiscal Year 2025-2026 annual budget.

Consent

11. Consider approving payment of various Equipment Maintenance Agreements for Fiscal Year 2025-2026 with multiple equipment manufacturers for all City Departments, for an annual amount not to exceed \$888,358. (Funding Source: Various Funds)
- Resolution approving payment of various Equipment Maintenance Agreements for Fiscal Year 2025-2026 with multiple equipment manufacturers for all City Departments, for an annual amount not to exceed \$888,358; and authorizing the City Manager, or his designee, to execute Equipment Maintenance Agreements associated with the items in Exhibit A and Exhibit B.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-175 approving payment of various Equipment Maintenance Agreements for Fiscal Year 2025-2026 with multiple equipment manufacturers for all City Departments, for an annual amount not to exceed \$888,358; and authorizing the City Manager, or his designee, to execute Equipment Maintenance Agreements associated with the items in Exhibit A and Exhibit B.

Consent

12. Consider approving a Memorandum of Agreement (MOA) with Oakland Fire Department for participation in California Task Force 4 of the National Urban Search and Rescue Response System. (Funding Source: General Fund)
- Resolution approving a Memorandum of Agreement (MOA) with Oakland Fire Department for participation in California Task Force 4 of the National Urban Search and Rescue Response System, and authorizing the City Manager, or his designee, to execute the agreement.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-176 approving a Memorandum of Agreement (MOA) with Oakland Fire Department for participation in California Task Force 4 of the National Urban Search and Rescue Response System, and authorizing the City Manager, or his designee, to execute the agreement.

Consent

13. Consider approving the terms and conditions required by the California Office of Emergency Services for Reimbursement of City costs for Modesto Fire Department's response to incidents outside of the jurisdiction. (Funding Source: Not Applicable)
- Resolution identifying the terms and conditions required by Cal OES for Reimbursement of City costs for Modesto Fire Department's response to incidents outside of the jurisdiction.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-177 identifying the terms and conditions required by Cal OES for Reimbursement of City costs for Modesto Fire Department's response to incidents outside of the jurisdiction.

Consent

14. Consider approving an Agreement with Locality Media, Inc dba First Due for Fire and EMS Software for a total amount not to exceed \$525,754 for three years. (Funding Source: Emergency Medical Services Project (EMS) and Measure H Fund)
- Resolution approving an Agreement with Locality Media, Inc dba First Due for Fire and EMS Software for a total amount not to exceed \$525,754 for three years and authorizing the City Manager, or his designee, to execute the Agreement.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-178 approving an Agreement with Locality Media, Inc dba First Due for Fire and EMS Software for a total amount not to exceed \$525,754 for three years and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

15. Consider approving the payment of Software Maintenance Support Agreements for Fiscal Year 2025-2026 in a total amount not to exceed \$10,902,807. (Funding Source: Information Technology Fund and Various Funds)
- Resolution approving the payment of Software Maintenance Support Agreements for Fiscal Year 2025-2026 in a total amount not to exceed \$10,902,807; and authorizing the City Manager, or his designee to execute routine renewal Agreements associated with the items in Exhibit A and Exhibit B - Software Maintenance Support Agreements for Fiscal Year 2025-2026.

IT; Dameon Booker, 209-447-1088, dbooker@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-179 approving the payment of Software Maintenance Support Agreements for Fiscal Year 2025-2026 in a total amount not to exceed \$10,902,807; and authorizing the City Manager, or his designee to execute routine renewal Agreements associated with the items in Exhibit A and Exhibit B - Software Maintenance Support Agreements for Fiscal Year 2025-2026.

Consent

16. Consider approving the renewal of the Agreement with Environmental Systems Research Institute, Inc. (ESRI) for the Small Government Enterprise License Agreement (SGEA) at \$180,400 annually for a combined total amount not to exceed \$541,200 over a three-year term. (Funding Source: Information Technology Fund)
- Resolution approving the Small Government Enterprise License Agreement renewal with Environmental Systems Research Institute, Inc. (ESRI) for a term of three years for a total amount not to exceed \$541,200 and authorizing the City Manager, or his designee to execute the Agreement.

IT; James Dotson, 209-571-5508, jadotson@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-180 approving the Small Government Enterprise License Agreement renewal with Environmental Systems Research Institute, Inc. (ESRI) for a term of three years for a total amount not to

exceed \$541,200 and authorizing the City Manager, or his designee to execute the Agreement.

Consent

17. Consider approving the First Amendment with Carahsoft Technology Corporation (Corp.) of Reston, Virginia, for the Purchase of Software Programming increasing the Agreement amount by \$49,867. (Funding Source: Solid Waste Management Fund)
- Resolution approving the First Amendment with Carahsoft Technology Corp., of Reston, Virginia, for the Purchase of Software Programming and License, increasing the Agreement amount by \$49,867 to a revised total amount not to exceed \$243,232 over the term of the Agreement; and authorizing the City Manager, or his designee, to execute the Amendment.

PUBLIC WORKS; Jody Strait, 209-577-6416, jstrait@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-181 approving the First Amendment with Carahsoft Technology Corp., of Reston, Virginia, for the Purchase of Software Programming and License, increasing the Agreement amount by \$49,867 to a revised total amount not to exceed \$243,232 over the term of the Agreement; and authorizing the City Manager, or his designee, to execute the Amendment.

Removed from Consent

Consent

18. Consider approving the First Amendment with Greentek Services, LLC, Oroville, CA, for Tree Pruning and Removal Services increasing the Agreement amount by \$300,000 and Rumble Tree, Inc., Modesto, CA for Tree Removal and Stump Grinding Services for a total amount between both agreements combined not to exceed \$6,389,350 over five years (Funding Source: Measure H Fund)
- Resolution approving the First Amendments with Greentek Services, LLC, Oroville, CA, for Tree Pruning and Removal Services increasing the Agreement amount by \$300,000 to a new total amount of \$3,475,000 and Rumble Tree, Inc., Modesto, CA for Tree Removal and Stump Grinding Services increasing the Agreement amount by \$1,594,350 for a new total of \$2,914,350 for a total amount between both agreements combined not to exceed \$6,389,350 over five years for both Agreements and authorizing the City Manager, or his designee, to execute the Amendments.

PUBLIC WORKS; Mike Johnson, 209-342-4566, mjohnson@modestogov.com

ACTION: (Alvarez/Ricci; 7/0) Resolution 2025-182 approving the First Amendments with Greentek Services, LLC, Oroville, CA, for Tree Pruning and Removal Services increasing the Agreement amount by \$300,000 to a new total amount of \$3,475,000 and Rumble Tree, Inc., Modesto, CA for Tree Removal and Stump Grinding Services increasing the Agreement amount by \$1,594,350 for a new total of \$2,914,350 for a total amount between both agreements combined not to exceed \$6,389,350 over five years for both Agreements and authorizing the City Manager, or his designee, to execute the Amendments.

Consent

19. Consider approving the Third Amendment with Univar Solutions USA, Kent, WA for the purchase and delivery of Sodium Hypochlorite – Liquid Chlorine increasing the Agreement amount by \$330,594. (Funding Source: Water Fund)
- Resolution approving the Third Amendment with Univar Solutions USA, Kent, WA for the purchase and delivery of Sodium Hypochlorite – Liquid Chlorine increasing the Agreement amount by \$330,594, to a new annual estimated amount of \$189,550, a new total amount not to exceed \$991,604 over five years and authorizing the City Manager, or his designee, to execute the Amendment.

UTILITIES; Manuel Martinez, 209-342-4592, mmartinez@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-183 approving the Third Amendment with Univar Solutions USA, Kent, WA for the purchase and delivery of Sodium Hypochlorite – Liquid Chlorine increasing the Agreement amount by \$330,594, to a new annual estimated amount of \$189,550, a new total amount not to exceed \$991,604 over five years and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

20. Consider approving the Agreements for Spoils Screening and Rock Crushing Services to California Rock Crushers, Ripon, CA and K & D Enterprises Inc., Ceres, CA, for a total combined amount not to exceed \$1,608,495 over five years. (Funding Source: Water, Wastewater and Surface Transportation Funds)
- Resolution approving the Award of Bid and Purchasing Agreements for Spoils Screening and Rock Crushing Services to California Rock Crusher, Ripon, CA and K & D Enterprises Inc., Ceres, CA, for a two-year Agreement with three one-year extension options, for a combined annual estimated amount of \$300,000 and a total combined amount not to exceed \$1,608,495 over five years; authorizing the Director of Finance to adjust Agreement totals between vendors based on contractor availability and department needs, ensuring the combined total amount does not change; and authorizing the City Manager, or his designee, to execute the Agreements.

UTILITIES; Manuel Martinez, 209-342-4592, mmartinez@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-184 approving the Award of Bid and Purchasing Agreements for Spoils Screening and Rock Crushing Services to California Rock Crusher, Ripon, CA and K & D Enterprises Inc., Ceres, CA, for a two-year Agreement with three one-year extension options, for a combined annual estimated amount of \$300,000 and a total combined amount not to exceed \$1,608,495 over five years; authorizing the Director of Finance to adjust Agreement totals between vendors based on contractor availability and department needs, ensuring the combined total amount does not change; and authorizing the City Manager, or his designee, to execute the Agreements.

Consent

21. Consider approving the Agreements for the Hauling of Non-Hazardous Brine with B & B Harvesting, Inc. dba Cal Valley Trucking, Modesto, CA, and Sun Valley Transport, Inc., Hughson, CA, for a total combined amount not to exceed \$804,260 over five years. (Funding Source: Water Fund)

- Resolution approving the Award of Bid and Agreements for the Hauling of Non-Hazardous Brine with B & B Harvesting, Inc. dba Cal Valley Trucking, Modesto, CA, and Sun Valley Transport, Inc., Hughson, CA, for a two year Agreement with three one-year extension options, for an estimated annual amount of \$150,000 and a total combined amount not to exceed \$804,260 over five years; giving the Director of Finance, or her designee, the authority to adjust Agreement totals between vendors based on contractor availability and department needs; and authorizing the City Manager, or his designee, to execute the Agreements.

UTILITIES; Manuel Martinez, 209-342-4592, mmartinez@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-185 approving the Award of Bid and Agreements for the Hauling of Non-Hazardous Brine with B & B Harvesting, Inc. dba Cal Valley Trucking, Modesto, CA, and Sun Valley Transport, Inc., Hughson, CA, for a two year Agreement with three one-year extension options, for an estimated annual amount of \$150,000 and a total combined amount not to exceed \$804,260 over five years; giving the Director of Finance, or her designee, the authority to adjust Agreement totals between vendors based on contractor availability and department needs; and authorizing the City Manager, or his designee, to execute the Agreements.

COUNCIL COMMENTS & REPORTS

Councilmember Wright updated that the Walgreens at Coffee and Sylvan is open 24/7 with a pharmacy drive-through. He reported on local homelessness efforts, including volunteer street teams removing 15,800 pounds of trash, and services provided by Modesto Gospel Mission and Jenny's Place, which recently opened 53 permanent supportive housing units. He also highlighted the grand opening of Hannah's House, a new women and children's shelter by the Gospel Mission with 40-50 beds. Lastly, he mentioned that this week is Graffiti Week with special events planned, including a performance by MacKenzie Phillips.

Vice-Mayor Bavaro responded to a question about small business loans, explaining that Modesto offers a revolving loan fund through Valley First Union, with loans from \$2,500 to \$75,000, low interest rates, and flexible repayment terms. He also addressed why a business might use a P.O. box for mail. Finally, he noted that the City's spending on trees amounts to about \$70 per tree, which he considers a good value.

Councilmember Alvarez highlighted the upcoming American Graffiti classic car parade and encouraged attendance. He addressed concerns about a recent incident involving the Police Department, expressing willingness to be briefed and explore better coordination with Code Enforcement and community groups. Alvarez also noted the lack of an active African American Chamber of Commerce in Modesto, mentioned past efforts to revive it, and offered to connect a

local business owner with the Stanislaus Latino Chamber and the African American Chamber in nearby San Joaquin County for support.

Councilmember Ricci addressed Walgreens' issues, attributing problems mainly to labor shortages and pharmacist retention rather than inventory. He highlighted progress on the Firefighters Park, including a commemorative brick fundraiser. Ricci praised the opening of Jenny's Place, a housing facility for the homeless, emphasizing the City's ongoing commitment to tackling homelessness. He criticized Cal Cities for opposing a Bay Area housing bill (SB 79) despite it not affecting Modesto, blaming such opposition for worsening the homelessness crisis. Lastly, he expressed excitement about the reopening and improvements of Modesto's Dry Creek Trail and future trail expansions.

Councilmember Escutia-Braaton celebrated attending the 100th birthday of Miss Tilly Villa and presented her with a City certificate. She praised the City's website for prominently displaying vital air quality and humidity information, especially important for families with respiratory concerns. She also highlighted the City's summer activity guide, encouraging families to take advantage of free and diverse programs. Lastly, she noted she will miss upcoming Graffiti Week events due to attending a national conference and will participate remotely in the next Council meeting.

Councilmember Williams expressed condolences for fallen Los Angeles officer Samuel Riveros and emphasized support for law enforcement. He praised the opening of Jenny's Place and acknowledged a memorial artwork honoring Jenny Kenoyer. He reminded the community about the upcoming Graffiti Weekend events, urging safety and legal conduct. Williams also gave thanks to Councilmember Ricci for participating in Love Modesto. Regarding local business concerns, he clarified he hadn't received prior details about a vendor issue but shared that the African-American Chamber of Commerce information and stated it is accessible via Facebook. He concluded with excitement about the weekend's car show festivities.

Mayor Zwahlen shared highlights from recent events, including a visit to Howard Prep's "Community Gathering of Heroes," celebrating independence for people with special needs. She attended the Modesto Fire Department's 150th anniversary exhibit at the Modesto Museum and a memorial honoring fallen officer Bobby Volk. She participated in the ribbon-cutting for Jenny's Place and the unveiling of a new native bird educational plaque on the Virginia Corridor Trail. The Mayor also spoke at Modesto Adult Education's graduation, where 412 adults received diplomas, and began Graffiti Week at a street rod event at McHenry Village.

CITY MANAGER COMMENTS & REPORTS

City Manager Lopez stated he couldn't speak to why Rumble Tree, Inc. uses a P.O. Box on their website but clarified that City bidding requirements mandate a physical address. He noted that Rumble provided a Modesto address on Amy Avenue in their bid packet.

HEARINGS

Published in the Modesto Bee on May 23, 2025.

22. Hearing to consider an Informational Report of vacancies, recruitment, and retention efforts to comply with Assembly Bill 2561. (Funding Source: Not Applicable)
- Motion accepting the Informational Report on vacancy rates, recruitment, and retention efforts to comply with Assembly Bill 2561.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Williams/Escutia-Braaton; 7/0) Motion accepting the Informational Report on vacancy rates, recruitment, and retention efforts to comply with Assembly Bill 2561.

Published in the Modesto Bee on May 23, 2025.

23. Hearing to consider and approve the Final Proposed Fiscal Year 2025-26 Operating and Multi-Year Non-Capital Budgets and Capital Improvement Program for the City and related Resolutions. (Funding Source: All City Funds)
- Resolution approving the adoption of the Fiscal Year 2025-26 Annual and Multi-Year Non-Capital Operating Budgets and the 2025-26 Capital Improvement Program for the City of Modesto and the related Inter-Fund Transfers.
 - Resolution approving the Budget Principles, and the Operating Budget Policy as Outlined in the Fiscal Year 2025-26 Final Proposed Budget.
 - Resolution amending the Position Classification Plan for the City of Modesto to create new classifications and amend existing classifications.
 - Resolution amending the Position Allocation for Fiscal Year 2025-26 as adopted in the Operating Budget.

BUDGET; Kacey Culbertson, 209-571-5855, kculbertson@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-186 approving the adoption of the Fiscal Year 2025-26 Annual and Multi-Year Non-Capital Operating Budgets and the 2025-26 Capital Improvement Program for the City of Modesto and the related Inter-Fund Transfers.

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-187 approving the Budget Principles, and the Operating Budget Policy as Outlined in the Fiscal Year 2025-26 Final Proposed Budget.

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-188 amending the Position Classification Plan for the City of Modesto to create new classifications and amend existing classifications.

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-189 amending the Position Allocation for Fiscal Year 2025-26 as adopted in the Operating Budget.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:45 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
SPECIAL APPOINTMENTS COMMITTEE / COUNCIL
WORKSHOP
2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Wednesday, June 04, 2025 at 4:00 PM

Roll Call: Present: Chair Alvarez, Committee Member Williams, Alternate Committee Member Wright
Absent: Vice-Chair Escutia-Braaton

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

NEW BUSINESS

1. Consider interviewing and recommending an appointment for one vacancy on the City of Modesto Board of Zoning Adjustment and forwarding to City Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the appointment of one full-term vacancy with the date ending December 31, 2028, on the City of Modesto Board of Zoning Adjustment and forwarding to Council for approval.
CED; Jessica Hill, 209-577-5267, jhill@modestogov.com

ACTION: (Wright/Williams; 3/0) Motion recommending the appointment of Liberal (Lee) Avila with the date ending December 31, 2028, on the City of Modesto Board of Zoning Adjustment and forwarding to Council for approval.

2. Consider the appointments for two vacancies, with a term end date of, December 31, 2027, to the City of Modesto Entertainment Commission and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the appointments for two vacancies, with a term ending December 31, 2027, to the City of Modesto Entertainment Commission and forwarding to Council for approval.
CED; Jessica Hill, 209-577-5321, jhill@modestogov.com

ACTION: (Williams/Wright; 3/0) Motion recommending the appointments of Carlos Verduzco and Jamie Reed, with a term ending December 31, 2027, to the City of Modesto Entertainment Commission and forwarding to Council for approval.

3. Consider appointments to fill two vacancies to the City of Modesto Housing Rehabilitation Loan Committee (HRLC), with a term ending December 31, 2028. (Funding Source: Not Applicable)
- Motion recommending appointments to fill two vacancies to the City of Modesto Housing Rehabilitation Loan Committee (HRLC), with a term ending December 31, 2028, and forwarding to Council for approval.
- CED; Edgar Garcia, 209-571-5101, edgarcia@modestogov.com*

ACTION: (Wright/Williams; 3/0) Motion recommending the appointments of Evan Yoshino and Douglas Higginbotham to the City of Modesto Housing Rehabilitation Loan Committee (HRLC), with a term ending December 31, 2028, and forwarding to Council for approval.

4. Consider the appointment of one City of Modesto representative vacancy to the Stanislaus Animal Services Agency Advisory Committee for a two-year term beginning July 1, 2025, through June 30, 2027, and forwarding to Council for approval. (Funding Source: Not Applicable)
- Motion recommending the appointment of one City of Modesto representative vacancy to the Stanislaus Animal Services Agency Advisory Committee for a two-year term beginning on July 1, 2025, through June 30, 2027, and forwarding to Council for approval.
- CITY MANAGER; Scotty Douglass, 209-577-9149, sdouglass@modestogov.com*

ACTION: (Williams/Wright; 3/0) Motion recommending the appointment of Melinda Martin to the Stanislaus Animal Services Agency Advisory Committee for a two-year term beginning on July 1, 2025, through June 30, 2027, and forwarding to Council for approval.

5. Consider the appointment of one City of Modesto Public Member vacancy for the Audit Committee for a partial unexpired term ending June 30, 2027, and forwarding to Council for approval. (Funding Source: Not Applicable)
- Motion recommending the appointment to fill one City of Modesto Public Member vacancy for the Audit Committee for a partial unexpired term ending June 30, 2027, and forwarding to Council for approval.
- FINANCE DEPARTMENT; DeAnna Christensen, 209-577-5387, dachristensen@modestogov.com*

ACTION: (Wright/Williams; 3/0) Motion recommending the appointment of Thomas Orosco for the Audit Committee for a partial unexpired term ending June 30, 2027, and forwarding to Council for approval.

6. Consider the appointments of three vacancies on the Equity Commission for partial unexpired terms ending December 31, 2026, and forwarding to Council for approval. (Funding Source: Not Applicable)

- Motion recommending the appointments of three vacancies for partial unexpired terms ending December 31, 2026, and forwarding to Council for approval.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Wright/Williams; 3/0) Motion recommending the appointment of Diego Capistran for a partial unexpired term ending December 31, 2026, and forwarding to Council for approval.

ACTION: (Alvarez/Wright; 3/0) Motion recommending the appointment of Daley Perry for a partial unexpired term ending December 31, 2026, and forwarding to Council for approval.

ACTION: (Williams/Alvarez; 3/0) Motion recommending the appointment of Rachell LaViege for a partial unexpired term ending December 31, 2026, and forwarding to Council for approval.

7. Consider the appointment of members to the Modesto Culture Commission to fill three vacancies for four-year terms with a term expiration of December 31, 2028, and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the appointment of members to the Modesto Culture Commission to fill three vacancies for four-year terms with a term expiration of December 31, 2028, and forwarding to Council for approval.

PRN; Jeremy Rogers, 209-577-5347, jrogers@modestogov.com

ACTION: (Wright/Alvarez; 3/0) Motion recommending the appointments of Lupe Hodges and Abigail Powers to the Modesto Culture Commission for four-year terms with a term expiration of December 31, 2028, and forwarding to Council for approval.

ACTION: (Williams/Wright; 3/0) Motion recommending the appointment of Jennifer Aoyama to the Modesto Culture Commission for a four-year term with a term expiration of December 31, 2028, and forwarding to Council for approval.

8. Consider two appointments to fill one Member-At-Large vacancy for a four-year term with a term expiration of December 31, 2028, and one Youth Member-At-Large vacancy for a one-year term with a term expiration of December 31, 2025, on the City of Modesto Golf Courses Advisory Committee, and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending two appointments to fill one Member-At-Large vacancy for a four-year term with a term expiration of December 31, 2028, and one Youth Member-At-Large vacancy for a one-year term with a term expiration of December 31, 2025, on the City of Modesto Golf Courses Advisory Committee and forwarding to Council for approval.

PRN; Jessica Franco, 209-577-5278, jefranco@modestogov.com

ACTION: (Williams/Wright; 3/0) Motion recommending the appointments of Bob Quintella for a four-year term with a term expiration of December 31, 2028, and Martin Montez for a one-year term with a term expiration of December 31, 2025, on the City of Modesto Golf Courses Advisory Committee and forwarding to Council for approval.

9. Consider the appointments of three vacancies to the City of Modesto Blight Abatement Advisory Committee for a four-year term with an expiration date of December 31, 2029, and forwarding to Council for approval. (Funding Source: Not Applicable)
- Motion recommending the appointments of three vacancies to the Committee for a four-year term with an expiration date of December 31, 2029, and forwarding to Council for approval.

PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com

ACTION: (Wright/Williams; 3/0) Motion recommending the reappointment of Maria Hernandez to the Committee for a four-year term with an expiration date of December 31, 2029, and forwarding to Council for approval.

ACTION: (Wright/Alvarez; 3/0) Motion recommending the appointments of Melanie Webb and Melissa Burgess to the Committee for four-year terms with an expiration date of December 31, 2029, and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 5:12 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
SAFETY AND COMMUNITIES COMMITTEE / COUNCIL
WORKSHOP
2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, June 09, 2025 at 4:00 PM

Roll Call: Present: Vice-Chair Ricci, Alternate Members Bavaro and Wright
Absent: Committee Member Escutia-Braaton, Chair Williams,

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:

No Consent Items.

UNFINISHED BUSINESS

1. Consider the Plans and Specifications for Dr. Martin Luther King, Jr. Park Renovation Project, accepting the Bid and Awarding a Construction Contract to Harris Builders, Inc. of Hilmar, CA., for a total payment amount not to exceed \$11,875,792; consider an Agreement with TRC Engineering, Inc. of Lathrop, CA, for Construction Management and Inspection Services for a total amount not to exceed \$1,042,319; and consider a First Amendment to the Agreement with Callander Associates Landscape Architecture, Inc. of Gold River, CA, increasing the Agreement amount by \$20,000 and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the approval of the Plans and Specifications for the Dr. Martin Luther King, Jr. Park Renovation Project, accepting the Bid and Awarding a Construction Contract to Harris Builders, Inc., of Hilmar, CA, in the amount of \$10,996,103, authorizing \$879,689, in contingency (if needed), for a total payment amount not to exceed \$11,875,792, and forwarding to Council for approval.
 - Motion recommending the approval of an Agreement with TRC Engineering, Inc, of Lathrop, CA, for Construction Management and Inspection Services for the Dr. Martin Luther King, Jr. Park Renovation Project in the amount of \$947,563, plus \$94,756 in additional services, if needed, for a total amount not to exceed \$1,042,319, and forwarding to Council for approval.

- Motion recommending a First Amendment to the Agreement with Callander Associates Landscape Architecture, Inc., of Gold River, CA, for Additional Design Support during the Construction Phase of the Project for the Dr. Martin Luther King Jr. Park Renovation Project, increasing the Agreement amount by \$20,000, to a new total amount not to exceed \$704,927, plus \$68,492 in additional services, if needed, for a total amount not to exceed \$773,419 and forwarding to Council for approval.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Bavaro/Wright; 3/0) Motion recommending the approval of the Plans and Specifications for the Dr. Martin Luther King, Jr. Park Renovation Project, accepting the Bid and Awarding a Construction Contract to Harris Builders, Inc., of Hilmar, CA, in the amount of \$10,996,103, authorizing \$879,689, in contingency (if needed), for a total payment amount not to exceed \$11,875,792, and forwarding to Council for approval.

ACTION: (Bavaro/Wright; 3/0) Motion recommending the approval of an Agreement with TRC Engineering, Inc, of Lathrop, CA, for Construction Management and Inspection Services for the Dr. Martin Luther King, Jr. Park Renovation Project in the amount of \$947,563, plus \$94,756 in additional services, if needed, for a total amount not to exceed \$1,042,319, and forwarding to Council for approval.

ACTION: (Bavaro/Wright; 3/0) Motion recommending a First Amendment to the Agreement with Callander Associates Landscape Architecture, Inc., of Gold River, CA, for Additional Design Support during the Construction Phase of the Project for the Dr. Martin Luther King Jr. Park Renovation Project, increasing the Agreement amount by \$20,000, to a new total amount not to exceed \$704,927, plus \$68,492 in additional services, if needed, for a total amount not to exceed \$773,419 and forwarding to Council for approval.

NEW BUSINESS

2. Consider the Agreement for the Design and Development of 9th & I Street to Alta Planning and Design, Inc., Oakland CA for a total amount not to exceed \$3,597,937 and forwarding to Council for approval. (Funding Source: Measure L)
 - Motion recommending an Agreement for the Design and Development of 9th & I Street to Alta Planning and Design, Inc., Oakland, CA for a total amount not to exceed \$3,597,937 and forwarding to Council for approval.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending an Agreement for the Design and Development of 9th & I Street to Alta Planning and Design, Inc., Oakland, CA for a total amount not to exceed \$3,597,937 and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:28 P.M.

Attest: _____
Dana Sanchez, Assistant City Clerk

MINUTES

City of Modesto
SPECIAL CITY COUNCIL
CLOSED SESSION
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, June 10, 2025 at 4:45 PM

Special City Council - Closed Session Meeting 4:45 P.M.

Roll Call - Present: Councilmembers Alvarez, Bavaro, Ricci, Williams, Wright
Absent: Councilmember Escutia-Braaton, Mayor Zwahlen

PUBLIC COMMENT IN PERSON: None.

Recessed to Closed Session at 4:46 P.M.
Resumed from Closed Session at 5:29 P.M.

CLOSED SESSION

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

Name of case(s): Matthew Ponce v. City of Modesto
California Workers Compensation Appeals Board
Nos. ADJ16177617

Reports from Closed Session: No reportable action.

ADJOURNMENT

Closed Session Meeting Adjourned at 5:29 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES

City of Modesto
**JOINT
CITY COUNCIL
AND
REDEVELOPMENT SUCCESSOR AGENCY
MEETING
SPECIAL CLOSED SESSION**

**Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, June 17, 2025 at 2:30 PM**

**Special Joint City Council and Redevelopment Successor Agency Closed Session Meeting
2:30 P.M.**

Roll Call – Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Wright,
Mayor Zwahlen
Absent: Councilmember Williams (recused out of abundance of caution
due to Conflict of Interest)

PUBLIC COMMENT IN PERSON: None

*Recessed to Closed Session at 2:31 P.M.
Resumed from Closed Session at 4:01 P.M.*

CLOSED SESSION

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

Property: 601 Neece Dr., Modesto, CA 95351; APN: 102-012-001 and 102-012-004

Property Owners: City of Modesto

Negotiating Parties:

For City: Joseph P. Lopez, City Manager

For Lessee: Michael Shapiro, President – Pioneer Baseball League

Under Negotiation: Price and Terms of Lease

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

Property: 1000 L. Street, Modesto CA 95354; APN 105-048-011

Property Owners: Modesto Redevelopment Successor Agency

Negotiating Parties:

For City: Joseph P. Lopez, City Manager

For Lessee: Westmont Hospitality Group

Under Negotiation: Terms of Lease

Reports from Closed Session: No reportable action.

ADJOURNMENT

Closed Session Meeting Adjourned at 4:02 P.M.

Attest: _____
Dana Sanchez, Assistant City Clerk

MINUTES
City of Modesto
FINANCE COMMITTEE / COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, June 23, 2025 at 4:00 PM

Roll Call: Present: Alternate Member Zwahlen, Vice-Chair Wright, and Chair Escutia-Braaton
Absent: Committee Member Bavaro
Also Present: None

PUBLIC COMMENTS IN PERSON

None.

COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-6 (Wright/Zwahlen; 3/0)

CONSENT

Consent

1. Consider the recommended budget adjustments to Fiscal Year 2024-25 Annual Operating and Capital Improvement Program Budgets and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the budget adjustments to 2024-25 Annual Operating and Capital Improvement Program Budgets and forwarding to Council for approval.

BUDGET; Kacey Culbertson, 209-571-5855, kculbertson@modestogov.com

ACTION: (Wright/Zwahlen; 3/0) Motion recommending the budget adjustments to 2024-25 Annual Operating and Capital Improvement Program Budgets and forwarding to Council for approval.

Consent

2. Consider the First Amendment to the Agreement with Moss Adams, LLP Stockton, CA, for City Auditor and City Auditing Services to amend the original agreement to include the compensation language “per each Fiscal Year Audit Plan” and forwarding to Council for approval. (Funding Source: General Fund)
 - Motion recommending a First Amendment to the Agreement with Moss Adams, LLP Stockton, CA, for City Auditor and City Auditing Services to

amend the original agreement to include the compensation language “per each Fiscal Year Audit Plan” and forwarding to Council for approval.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Wright/Zwahlen; 3/0) Motion recommending a First Amendment to the Agreement with Moss Adams, LLP Stockton, CA, for City Auditor and City Auditing Services to amend the original agreement to include the compensation language “per each Fiscal Year Audit Plan” and forwarding to Council for approval.

Consent

3. Consider an Agreement with RingCentral, Inc., for Annual Telecommunication Services for a total amount not to exceed \$2,058,335 over five years and forwarding to Council for approval. (Funding Source: Information Technology Fund)
 - Motion recommending the Agreement with RingCentral, Inc., Belmont, CA, by utilizing the Competitive Bid Process from Region 4 ESC in partnership with OMNIA Partners, for Annual Telecommunication Services, for a three-year Agreement with two one-year extension options, for annual estimated amount of \$411,667 and a total amount not to exceed \$2,058,335 over five years; and forwarding to Council for approval.

IT; Kyle Ford, 209-571-5593, kford@modestogov.com

ACTION: (Wright/Zwahlen; 3/0) Motion recommending the Agreement with RingCentral, Inc., Belmont, CA, by utilizing the Competitive Bid Process from Region 4 ESC in partnership with OMNIA Partners, for Annual Telecommunication Services, for a three-year Agreement with two one-year extension options, for annual estimated amount of \$411,667 and a total amount not to exceed \$2,058,335 over five years; and forwarding to Council for approval.

Consent

4. Consider the First Amendment with Mather Aviation, LLC, Mather, CA, for Aircraft Maintenance and Repair Services increasing the Agreement amount by \$427,776 and extending the term of the Agreement from September 30, 2026, to September 30, 2027, and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the First Amendment with Mather Aviation, LLC, for Aircraft Maintenance and Repair Services increasing the Agreement amount by \$427,776, to a new estimated annual amount of \$195,848, a new total amount of \$587,544 through the term of the Agreement and extending the term of the Agreement from September 30, 2026, to September 30, 2027; and forwarding to Council for approval.

POLICE DEPARTMENT; Kalani Souza, 209-572-9500, souzak@modestopd.com

ACTION: (Wright/Zwahlen; 3/0) Motion recommending the First Amendment with Mather Aviation, LLC, for Aircraft Maintenance and Repair Services increasing the Agreement amount by \$427,776, to a new estimated annual amount of \$195,848, a new total amount of \$587,544 through the term of the Agreement and extending the term of

the Agreement from September 30, 2026, to September 30, 2027; and forwarding to Council for approval.

Consent

5. Consider the Agreements for Fire Extinguisher Inspection, Testing and Maintenance Services to Firecode Safety Equipment, Inc., Sacramento, CA and National Fire Systems, Inc. Sacramento, CA for a total combined amount not to exceed \$160,269 over five years and forwarding to Council for approval. (Funding Source: Building Maintenance Fund)
- Motion recommending the Award of Bid and Agreements for Fire Extinguisher Inspection, Testing and Maintenance Services to Firecode Safety Equipment, Inc., Sacramento, CA and National Fire Systems, Inc. Sacramento, CA for a two-year Agreement with three one-year extension options, for a combined estimated annual amount of \$30,000, and a combined total amount not to exceed \$160,269 over five years between the two agreements and forwarding to Council for approval.

PUBLIC WORKS; Gabe daSilva, 209-652-2579, gdasilva@modestogov.com

ACTION: (Wright/Zwahlen; 3/0) Motion recommending the Award of Bid and Agreements for Fire Extinguisher Inspection, Testing and Maintenance Services to Firecode Safety Equipment, Inc., Sacramento, CA and National Fire Systems, Inc. Sacramento, CA for a two-year Agreement with three one-year extension options, for a combined estimated annual amount of \$30,000, and a combined total amount not to exceed \$160,269 over five years between the two agreements and forwarding to Council for approval.

Consent

6. Consider an Engineering Services Agreement with West Yost Associates, of Davis, CA for the Salida Community Plan Water Supply Assessment and Water System Evaluation in a total Agreement amount not to exceed \$102,410, entering into a Memorandum of Understanding with Stanislaus County and forwarding to Council for approval. (Funding Source: Water Fund)
- Motion recommending an Engineering Services Agreement with West Yost Associates, of Davis, CA for the Salida Community Plan Water Supply Assessment and Water System Evaluation in the amount of \$93,100, plus \$9,310 in additional services, if needed, for a total Agreement amount not to exceed \$102,410 and forwarding to Council for approval.
 - Motion recommending entering into a Memorandum of Understanding with Stanislaus County regarding reimbursement of costs related to the Salida Community Plan Water Supply Assessment and Water System Evaluation Project and forwarding to Council for approval.

UTILITIES; Jim Alves, 209-571-5557, jalves@modestogov.com

ACTION: (Wright/Zwahlen; 3/0) Motion recommending an Engineering Services Agreement with West Yost Associates, of Davis, CA for the Salida Community Plan Water Supply Assessment and Water System Evaluation in the amount of \$93,100, plus

\$9,310 in additional services, if needed, for a total Agreement amount not to exceed \$102,410 and forwarding to Council for approval.

ACTION: (Wright/Zwahlen; 3/0) Motion recommending entering into a Memorandum of Understanding with Stanislaus County regarding reimbursement of costs related to the Salida Community Plan Water Supply Assessment and Water System Evaluation Project and forwarding to Council for approval.

NEW BUSINESS

- 7. Consider the First Amendment with SpryPoint Services, Inc., Charlottetown, P.E., for Utility Billing, Receivables and Cashiering Softwares to include SpryWallet as the Payment Gateway with an increase in the amount of \$1,336,902 over two years and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the First Amendment increasing the Agreement amount with SpryPoint Services, Inc., Charlottetown, P.E., for Utility Billing, Receivables and Cashiering Softwares, to include SpryWallet as the Payment Gateway by \$1,336,902, to a new total agreement amount not to exceed \$3,728,862 through the next two years and forwarding to Council for approval.

FINANCE DEPARTMENT; Jeni Martin, 209-571-5892, jmartin@modestogov.com

ACTION: (Wright/Zwahlen; 3/0) Motion recommending the First Amendment increasing the Agreement amount with SpryPoint Services, Inc., Charlottetown, P.E., for Utility Billing, Receivables and Cashiering Softwares, to include SpryWallet as the Payment Gateway by \$1,336,902, to a new total agreement amount not to exceed \$3,728,862 through the next two years and forwarding to Council for approval.

- 8. Consider a Report on the upcoming River Trunk Realignment – Pump Station Construction Project. (Funding Source: Wastewater Fund)
 - Motion accepting a Report on the upcoming River Trunk Realignment – Pump Station Construction Project.

UTILITIES; Cristian Ciotau, 209-571-5175, cciotau@modestogov.com

ACTION: (Wright/Zwahlen; 3/0) Motion accepting a Report on the upcoming River Trunk Realignment – Pump Station Construction Project.

ADJOURNMENT

This meeting adjourned at 4:22 p.m.

Attest: _____
Andrea Cook, Deputy City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, June 24, 2025 at 5:30 PM

Special City Council – Closed Session Meeting 3:30 P.M.

Roll Call - Present: Councilmembers Alvarez (arrived at 3:40 p.m.), Bavaro, Escutia-Braaton, Ricci, Williams (recused from item 3 on the Closed Session agenda), Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting 5:30 P.M.

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

City Clerk’s Announcements

Item 9 was pulled for a separate vote.

Declaration of Conflicts of Interest

Williams – Item 3 of Closed Session re: Property Negotiations at 601 Neece Dr.
Wright - Item 9 re: McHenry Comic Management LLC.
Bavaro - Item 9 re: Phenos Collective Inc. and Paradise West Inc.

Reports from Closed Session

Mayor Zwahlen reported out regarding Employee Performance Evaluation of City Manager Joe Lopez evaluation. Pursuant to City Charter section 725, the City Council reviewed the performance of the City Manager as it relates to the core competencies of the City Manager position, his duties and responsibilities, his past achievements during this rating period, as well as his upcoming goals for this next year, and found City Manager Lopez to be a very hard working individual that does a fine job in managing the organization and that he consistently makes sound decisions and recommendations to Council. Council values what he brings to the organization and commends him for his leadership, his high integrity and his strong work ethic. They truly appreciate everything that he and his entire leadership team has accomplished this past year and look forward to working in partnership with him in the years to come.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring July as Disability Rights Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented a proclamation declaring July as Disability Rights Month.

MISCELLANEOUS

2. Consider accepting the resignation of Diane Kroeze from the Citizens' Transportation Sales Tax Commission. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of Diane Kroeze from the Citizens' Transportation Sales Tax Commission.

ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Wright/Ricci; 7/0) Resolution 2025-212 accepting the resignation of Diane Kroeze from the Citizens' Transportation Sales Tax Commission.

3. Consider approving the appointment of Melinda Martin to fill one City of Modesto representative vacancy to the Stanislaus Animal Services Agency Advisory Committee for a two-year term beginning July 1, 2025 through June 30, 2027. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointment of Melinda Martin as the City of Modesto representative to the Stanislaus Animal Services Agency Advisory Committee for a two-year term beginning July 1, 2025, through June 30, 2027.

CITY MANAGER; Scotty Douglass, 209-577-9149, sdouglass@modestogov.com

ACTION: (Ricci/Alvarez; 7/0) Resolution 2025-213 approving the appointment of Melinda Martin as the City of Modesto representative to the Stanislaus Animal Services Agency Advisory Committee for a two-year term beginning July 1, 2025, through June 30, 2027.

4. Consider approving the appointment of Thomas Orosco for the City of Modesto Public Member of the Audit Committee for a partial unexpired term ending June 30, 2027. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointment of Thomas Orosco for the City of Modesto Public Member of the Audit Committee for a partial unexpired term ending June 30, 2027.

FINANCE DEPARTMENT; DeAnna Christensen, 209-577-5387, dachristensen@modestogov.com

ACTION: (Williams/Bavaro; 7/0) Resolution 2025-214 approving the appointment of Thomas Orosco for the City of Modesto Public Member of the Audit Committee for a partial unexpired term ending June 30, 2027.

PUBLIC COMMENT IN PERSON

- Rossy Arquillo urged the Modesto City Council to address the unregulated sale of flavored tobacco to minors. She called for a mandatory licensing Ordinance for all tobacco retailers—not just smoke shops—citing serious health risks to youth and urging immediate action to close enforcement gaps.
- Juan Molinares addressed the City Council about unresolved property damage caused by a City-owned tree in front of his home. He explained that the tree damaged his driveway, leading to repair costs of over \$35,000. Despite efforts over four years to resolve the issue, including contact with City staff, no assistance has been provided. The tree was eventually removed, but only after significant damage had already occurred. Juan requested help from the City to cover the repair costs.
- Austin Grant raised concerns about how police handled a recent protest, particularly in relation to Municipal Code section 4-23.02(13), which he believes was misapplied. He called on the City Council to review, amend, or repeal the Ordinance, suggesting they research its origin, assess its current relevance, and involve the public through hearings. He emphasized that community concern is growing and urged timely action.
- John Mataka requested a public hearing on the same Municipal Code referenced by the previous speaker. He criticized the Modesto Police Department’s handling of a smaller protest at 1010 10th Street, suggesting the response—including arrests and use of force—was excessive and possibly influenced by the protest's topic or the racial makeup of its participants. He also pointed out the ongoing relevance of mask-wearing due to COVID-19 variants. Mataka urged the City to engage the community in open dialogue and review police actions related to the protest.
- Harlan Diven spoke about police actions during a June 14th protest. She described witnessing an arrest where officers in an unmarked vehicle quickly detained a masked individual without provocation or explanation. Diven stated that several arrests appeared targeted and involved unhoused youth. She expressed concern that those arrested were threatened with severe penalties under Penal Code 185, which she viewed as an inappropriate and chilling response intended to suppress free speech. She urged the City Council to consider the broader implications of such enforcement.
- Giancarlo spoke about police actions during the “ICE OUT” protest. He claimed the protest was intentionally targeted by Modesto Police for strict enforcement of a Municipal Code banning certain masks, allegedly under direct orders from the Police Chief. Giancarlo described a heavy police presence, including officers in military gear and unmarked vehicles, and said arrests were made without provocation. He characterized the response as discriminatory and racially motivated, given the protest’s

organizers and attendees were primarily people of color. He called for the full repeal of the Municipal Code, an independent investigation into police conduct, dismissal of all related charges, and an end to targeted policing.

- Nora urged the City Council to repeal Municipal Code 4-23.02, which prohibits masks during public demonstrations. She argued the law is being misused to intimidate peaceful protesters, many of whom wear masks for health and safety or to avoid harassment. Nora criticized the origins and enforcement of the ordinance, claiming it enables biased policing and unjust arrests. She called the police actions on June 14th both discriminatory and harmful, and asked the Council to repeal the ordinance and drop all related charges.
- Nic, a participant in both June 14th protests, described witnessing and experiencing what he viewed as targeted police actions against organizers and vulnerable individuals, particularly at the CV BIPOC-led protest. Drawing parallels to historic government surveillance and suppression of civil rights movements, he expressed deep concern over the use of police tactics that he likened to those of authoritarian regimes. Nic emphasized that many wore masks for health reasons, not concealment, and criticized the use of public safety laws to suppress peaceful dissent. He called for serious reform of both the municipal mask ordinance and police conduct.
- Manuela condemned the Modesto Police Department's actions during the June 14th protest, accusing them of using fear tactics and excessive force similar to ICE. She criticized unmarked vehicles, lack of identification, and the arrest of seven people without clear cause. Manuela demanded the full repeal of the mask ordinance, an independent investigation into police conduct, immediate dismissal, and record clearance for those arrested, and an end to targeted repression of marginalized communities in Modesto and the Central Valley. She emphasized the harm caused to unhoused youth and urged the Council to listen to their constituents.
- Anthony criticized the Municipal Code restricting mask use during protests, highlighting its conflict with the Americans with Disabilities Act (ADA), especially considering long COVID as a disability. He condemned the police's aggressive arrests on June 14th and suggested they amounted to profiling. Anthony called on the City Council to repeal the ordinance, drop charges against those arrested, and restore true First Amendment freedoms. He urged officials to prioritize the community's interests over police power and political repression.
- Gavin Bruce, a participant in the Central Valley BIPOC protest on June 14th, described police confiscation of the protest's PA system, which hindered communication of safety information. He witnessed an unprovoked arrest by officers in tactical gear using an unmarked vehicle, without explanation. Gavin suggested police were deliberately trying to escalate tensions to justify budget increases. He praised the protest's peaceful turnout despite police presence and urged the City Council to drop all charges against those arrested and launch an independent investigation into police actions.

- Steve spoke about witnessing police targeting peaceful protesters in Modesto, including himself, whom he said was arrested without explanation during the June 14th protest. He criticized the Municipal Code as part of broader discrimination linked to the rise of extremist groups and political repression. Steve urged the City Council to uphold democratic values by meeting the demands of the Central Valley BIPOC coalition, including dropping all charges and repealing the ordinance.
- Ian condemned the police tactics used against peaceful protesters, describing them as violent, terrorizing, and unjustified. He highlighted the disparity between how larger protests were treated versus the smaller rally, accusing the police of selective enforcement and abuse of power. Ian called for a reevaluation of the Municipal Code and the accountability of those charged with protecting the community, praising the bravery of the protesters in contrast to the police.
- Emanuel Lopez spoke about witnessing the wrongful detention of seven community members during the June 14th CV BIPOC and No Kings protests. He described police using fear tactics, including loud announcements of riot control methods, and making arrests without warning, reading rights, or clear charges. Emanuel highlighted an incident where an officer used excessive force, breaking a person's finger. He called on police officers who prioritize fear and profiling over protection to resign and urged the City Council to end injustice by dropping charges against those arrested.
- Leah Hassett spoke about attending the June 14th CV BIPOC rally with her young adult daughter. She emphasized the importance of young people having agency and a voice in their community. Leah expressed concern that police actions—such as grabbing protesters and placing them in unmarked cars—felt like repression and oppression, not freedom, damaging community trust in law enforcement. She urged for a safer environment for peaceful protest and condemned the police tactics resembling ICE's intimidation. Leah fully supported the demands of CV BIPOC, including repealing repressive codes and dropping charges against arrested protesters.
- Liz Talbot a rally organizer, spoke in solidarity with the CV BIPOC group. She urged Modesto officials to revisit and reconsider the mask ordinance, highlighting the constitutional right to free speech without restrictions on dress. Liz noted the disparity in police response between the smaller and larger rallies, questioning the rationale behind targeting mask-wearers at the smaller event. She expressed concern for Waterford constituents—many from immigrant families—who felt unsafe and left the protest early due to fear of arrests. Liz emphasized that the ordinance violates First Amendment rights and urged Modesto leaders to uphold their constitutional oath.
- Efrain Diaz, organizer with CV BIPOC, described how Modesto PD escalated tension at the June 14th protest by arresting a participant for wearing a mask and holding a flag, charging him with resisting arrest despite no resistance. Police used aggressive tactics, including a shotgun pointed at protesters, creating a climate of fear reminiscent of ICE raids. Diaz called for a full repeal of the mask ordinance (Municipal Code 4-23.02.13), an independent investigation into MPD's actions, immediate dismissal and

record clearance of all charges, and an end to political repression targeting marginalized communities in Modesto and the Central Valley.

- Alex Garcia, a Latino community member and organizer of the ICE protest, shared his family's immigrant background and the risks peaceful protesters face due to federal policies targeting immigrants. He emphasized that wearing masks for anonymity during protests is a protected form of free expression under the First Amendment, especially important for vulnerable communities fearing deportation or surveillance. He called the Modesto mask ordinance unconstitutional and redundant given state law already covers concealing identity during crimes. Garcia demanded all charges from the arrests be dropped and the Ordinance fully repealed, pledging to fight vigorously if the Council fails to act.
- Leah a concerned community member, condemned the police violence and repression at the June 14th Ice Out anti-deportation protest, where six peaceful protesters were unjustly arrested under Modesto's anti-mask ordinance (Municipal Code 4-23.02, subsection 13). She emphasized that the ordinance has been weaponized, enabling discriminatory police actions that violate basic rights, including masking to protect against illness and harassment. Leah called on the City Council to repeal the ordinance and to strengthen the Community Police Review Board's power to hold the Modesto Police Department accountable through independent investigations, highlighting the need for real consequences for police misconduct.
- Isaac, one of the seven people arrested on June 14th, expressed heartfelt gratitude for the support he has received, saying he never expected it and sincerely thanked everyone.
- Jessica, a community member present at the June 14th protest, criticized the Modesto Police Department for poor communication and minimal public education about the municipal code on masks. She observed that MPD used excessive force and fear tactics during the protest, including unmarked vehicles, riot gear, and aggressive detainments without explaining reasons or asking about exemptions. Jessica highlighted a double standard, noting that at other events like the Straight Pride parade and Proud Boys rallies, mask-related arrests were minimal despite violence there. She accused MPD of selectively enforcing the ordinance to push a political agenda, targeting vulnerable groups under the pretense of safety. Jessica demanded a full repeal of Modesto Municipal Code 4-23.02 subsection 13 and urged City officials to remember they are accountable to the voters speaking out against this Ordinance.
- Daisy Mae Strauss spoke in support of the Central Valley BIPOC Coalition. She called on the Council to drop the charges against those arrested, repeal the mask ordinance, and expand the powers of the MPD Review Board to enable thorough investigations and accountability for police misconduct in the community.
- Laura Plascencia expressed deep concern about rising oppression and fascism locally, particularly highlighting Modesto PD's actions as hostile and against the community.

She warned that without standing up now, democratic rights such as public comment may soon be restricted. Laura called for the immediate dismissal of charges against those arrested, an independent investigation into Modesto PD's conduct, and reassessment or removal of the penal code related to mask restrictions. She criticized the police for their lack of cultural and emotional competency and their discriminatory treatment of peaceful community members who were protecting their health and safety. She urged Councilmembers to support the community in resisting this toxic environment and to protect democratic freedoms.

- Monica Flores attended the protest on June 14th with her family and described police actions as sudden and aggressive, including an unannounced arrest and officers surrounding an individual with guns. She found these actions frightening but said they strengthened her resolve to advocate for her community. Flores expressed a desire for mutual trust between residents and law enforcement in Modesto, noting that the events she witnessed did not reflect that trust.
- Jasmine Navarro, a Modesto community member, expressed deep concern about the fear and anxiety experienced by local communities during these times of repression. She found it upsetting that some police officers are involved in acts of violence against the community. Jasmine called for higher standards and better use of police funding to truly serve and protect the community. She also highlighted the tension in being a sanctuary state while fears persist about police cooperation with ICE, urging for clearer protections and cooperation to safeguard residents. She ended with a hopeful call for collaboration and progress.
- Cecilia Flores shared that their group coordinated with another protest group at Graceada to hold an organized, peaceful march. She noted that police were present and involved even before the protest began, creating an atmosphere that seemed intended to discourage gathering and engagement. Despite their efforts to communicate and merge the protests peacefully, tensions escalated. Cecilia called for all charges against those arrested that day to be dropped.
- Marisol Ramirez spoke in support of her niece and reflected on the limitations of free speech for non-U.S. citizens. She explained that while U.S. citizens have free speech protections, legal residents, visa holders, and refugees often do not, fearing repercussions such as losing residency if identified. She emphasized the risks faced by families with mixed immigration statuses, noting that even legal family members could be targeted if someone is identified. Marisol also cited a recent example of a tourist denied entry to the U.S. over a political meme, illustrating heightened restrictions. She expressed understanding for protesters who wear masks to protect their identities and families from potential harm.
- Ann Marie voiced support for the group's demands following the June 14th protest arrests. Although she did not attend the event, she stated she had reviewed video evidence and believes the detained individuals were arrested unlawfully. She urged the City Council to repeal Modesto Municipal Code 4-23.02(13) and any ordinances that

restrict protest rights. She also called for an independent investigation through an empowered Community Police Review Board, the appointment of an external auditor to evaluate Modesto Police Department conduct, and the dismissal and expungement of all related charges. Ann Marie concluded by warning against the rise of fascism and emphasized the importance of allowing anonymity for health and safety in a surveillance climate.

- Bianca strongly criticized the Modesto Police Department’s actions during the June 14th protest, accusing the Police Chief of misrepresenting the group’s intent and using intimidation tactics. She called for the repeal of the anti-mask ordinance, greater oversight through an empowered Civilian Review Board, and accountability for law enforcement, emphasizing her condemnation with repeated calls of “shame.”
- Loretta Carhart shared personal reflections in response to earlier comments, recalling past experiences with law enforcement dating back to the 1950s. While acknowledging past arrests, they emphasized the importance of police in the community, especially in light of recent personal experiences with crime. She urged others not to be overly critical of law enforcement, expressing concern that current attitudes may overlook the value and challenges of police work.
- A community member offered a balanced perspective during public comment, stating they were not in favor of abolishing the police and acknowledged that some officers behaved appropriately during the June 14th protest. However, they questioned the presence of officers in SWAT gear, the use of firearms, and the surprise nature of arrests. They raised concerns about the financial cost of the police response, arguing that such tactics are not economically viable or beneficial for the community. The speaker urged the Council to consider not just the moral and political implications, but also the practical and economic impact of law enforcement actions.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 5-8, 10-14, 16-26 (Wright/Williams; 7/0)

CONSENT

Consent

5. Consider approving the minutes for the June 10, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the June 10, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Williams; 7/0) Motion approving the minutes for the June 10, 2025 Council Meeting.

Consent

6. Consider approving Final Adoption of Ordinance 3796-C.S. amending Section 8-10.102 “Membership of Commission” of Title 8 Chapter 10, “Citizens’ Transportation Sales Tax Commission”. (Funding Source: Not Applicable)
- Motion approving Final Adoption of Ordinance 3796-C.S. amending Section 8-10.102 “Membership of Commission” of Title 8 Chapter 10, “Citizens’ Transportation Sales Tax Commission”.
- CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com*

ACTION: (Wright/Williams; 7/0) Motion approving Final Adoption of **Ordinance 3796-C.S.** amending Section 8-10.102 “Membership of Commission” of Title 8 Chapter 10, “Citizens’ Transportation Sales Tax Commission”.

Consent

7. Consider approving Final Adoption of Ordinance 3797-C.S. of the City Council of Modesto amending Title 10 (Zoning Regulations) of the Modesto Municipal Code, amending Chapter 2 (Definitions), Article 1 (Definitions); Chapter 3 (Land Use Regulations), Article 1 (Permitted And Conditional Land Uses); Chapter 3, Article 2 (Specific Land Use Regulations); Chapter 4 (Development Standards), Article 1 (Residential Zones); and Chapter 4, Article 5 (Accessory Dwelling Units). (Funding Source: Not Applicable)
- Motion approving Final Adoption of Ordinance 3797-C.S. of the City Council of Modesto amending Title 10 (Zoning Regulations) of the Modesto Municipal Code, amending Chapter 2 (Definitions), Article 1 (Definitions); Chapter 3 (Land Use Regulations), Article 1 (Permitted And Conditional Land Uses); Chapter 3, Article 2 (Specific Land Use Regulations); Chapter 4 (Development Standards), Article 1 (Residential Zones); and Chapter 4, Article 5 (Accessory Dwelling Units).
- CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com*

ACTION: (Wright/Williams; 7/0) Motion approving Final Adoption of **Ordinance 3797-C.S.** of the City Council of Modesto amending Title 10 (Zoning Regulations) of the Modesto Municipal Code, amending Chapter 2 (Definitions), Article 1 (Definitions); Chapter 3 (Land Use Regulations), Article 1 (Permitted And Conditional Land Uses); Chapter 3, Article 2 (Specific Land Use Regulations); Chapter 4 (Development Standards), Article 1 (Residential Zones); and Chapter 4, Article 5 (Accessory Dwelling Units).

Consent

8. Consider approving the Economic Development Strategic Plan (2025). (Funding Source: Not Applicable)
- Resolution approving the Economic Development Strategic Plan (2025).
- CED; Raj Solanki, 209-577-5244, rsolanki@modestogov.com*

ACTION: (Wright/Williams; 7/0) Resolution 2025-215 approving the Economic Development Strategic Plan (2025).

Removed from Consent for separate vote.

9. Consider approving the renewal of eight Commercial Cannabis Retail Permits for dispensaries in the City for a two-year period ending June 30, 2027. (Funding Source: Commercial Cannabis Permit Fee)

- Resolution approving the renewal of CR & D Inc's commercial cannabis retail permit for a two-year period ending June 30, 2027.
- Resolution approving the renewal of CV Wellness LLC's commercial cannabis retail permit for a two-year period ending June 30, 2027.
- Resolution approving the renewal of Jonesa LLC's commercial cannabis retail permit for a two-year period ending June 30, 2027.
- Resolution approving the renewal of McHenry Business Services LLC's commercial cannabis microbusiness permit for a two-year period ending June 30, 2027.
- Resolution approving the renewal of DC Modesto LLC's commercial cannabis retail permit for a two-year period ending June 30, 2027.
- Resolution approving the renewal of McHenry Comic Management LLC's commercial cannabis retail permit for a two-year period ending June 30, 2027.
- Resolution approving the renewal of Phenos Collective Inc's commercial cannabis retail permit for a two-year period ending June 30, 2027.
- Resolution approving the renewal of Paradise West Inc's commercial cannabis retail permit for a two-year period ending June 30, 2027.

CED; Sean Rando, 209-577-5473, srando@modestogov.com

ACTION: (Wright/Ricci; 7/0) Resolution 2025-216 approving the renewal of CR & D Inc's commercial cannabis retail permit for a two-year period ending June 30, 2027.

ACTION: (Wright/Ricci; 7/0) Resolution 2025-217 approving the renewal of CV Wellness LLC's commercial cannabis retail permit for a two-year period ending June 30, 2027.

ACTION: (Wright/Ricci; 7/0) Resolution 2025-218 approving the renewal of Jonesa LLC's commercial cannabis retail permit for a two-year period ending June 30, 2027.

ACTION: (Wright/Ricci; 7/0) Resolution 2025-219 approving the renewal of McHenry Business Services LLC's commercial cannabis microbusiness permit for a two-year period ending June 30, 2027.

ACTION: (Wright/Ricci; 7/0) Resolution 2025-220 approving the renewal of DC Modesto LLC's commercial cannabis retail permit for a two-year period ending June 30, 2027.

ACTION: (Williams/Escutia-Braaton; 6/0; Wright recused) Resolution 2025-221 approving the renewal of McHenry Comic Management LLC’s commercial cannabis retail permit for a two-year period ending June 30, 2027.

ACTION: (Ricci/Escutia-Braaton; 6/0; Bavaro recused) Resolution 2025-222 approving the renewal of Phenos Collective Inc’s commercial cannabis retail permit for a two-year period ending June 30, 2027.

ACTION: (Ricci/Escutia-Braaton; 6/0; Bavaro recused) Resolution 2025-223 approving the renewal of Paradise West Inc’s commercial cannabis retail permit for a two-year period ending June 30, 2027.

Consent

10. Consider approving a Cost Sharing Agreement with the County of Stanislaus for the construction of the Urban Pavement Preservation Phase G and Phase H Projects.

(Funding Source: Measure L)

- Resolution approving a Cost Sharing Agreement with the County of Stanislaus for the construction of the Urban Pavement Preservation Phase G and Phase H Projects and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution amending the Fiscal Year 2024-25 Multi-Year Non-Capital project fund budgets for Project #101628 in the amount of \$290,000 to appropriate the funds for the Urban Pavement Preservation Phase G and H projects and authorizing the City Manager, to take the necessary steps to implement the provisions of this resolution.

ENGINEERING SERVICES; Toby Wells, 209-577-5542, twells@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-224 approving a Cost Sharing Agreement with the County of Stanislaus for the construction of the Urban Pavement Preservation Phase G and Phase H Projects and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Wright/Williams; 7/0) Resolution 2025-225 amending the Fiscal Year 2024-25 Multi-Year Non-Capital project fund budgets for Project #101628 in the amount of \$290,000 to appropriate the funds for the Urban Pavement Preservation Phase G and H projects and authorizing the City Manager, to take the necessary steps to implement the provisions of this resolution.

Consent

11. Consider accepting the State Route 132 West Freeway/Expressway - Phase 1 Project as complete, releasing securities, releasing payments totaling \$100,285,151 to Bay Cities Paving & Grading, Inc., of Concord, California, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: Various Funds)

- Resolution accepting the State Route 132 West Freeway/Expressway - Phase 1 Project as complete, releasing securities, releasing payments totaling

\$100,285,151 to Bay Cities Paving & Grading, Inc., of Concord, California, and authorizing the City Clerk to file a Notice of Completion.
ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-226 accepting the State Route 132 West Freeway/Expressway - Phase 1 Project as complete, releasing securities, releasing payments totaling \$100,285,151 to Bay Cities Paving & Grading, Inc., of Concord, California, and authorizing the City Clerk to file a Notice of Completion.

Consent

12. Consider approving a Measure L Master Funding Agreement with Stanislaus Council of Governments (StanCOG) for Fiscal Year 2025-2030. (Funding Source: Measure L)
- Resolution approving the Measure L Master Funding Agreement with the Stanislaus Council of Governments (StanCOG) for Fiscal Years 2025-2030 and authorizing the City Manager or his designee to execute the Agreement.
- ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com*

ACTION: (Wright/Williams; 7/0) Resolution 2025-227 approving the Measure L Master Funding Agreement with the Stanislaus Council of Governments (StanCOG) for Fiscal Years 2025-2030 and authorizing the City Manager or his designee to execute the Agreement.

Consent

13. Consider approving a Will Serve Letter and Outside Service Agreement with CLR Properties LLC, A California Limited Liability Company, to connect to the City of Modesto's existing sewer system for the property located at 2204 Crows Landing Road (APN: 086-012-033). (Funding Source: Sewer Fund)
- Resolution approving a Will Serve Letter and Outside Service Agreement with CLR Properties LLC, a California Limited Liability Company, to connect to the City of Modesto's existing sewer system for the property located at 2204 Crows Landing Road (APN: 086-012-033) and authorizing the City Manager, or his designee, to the sign the Will Serve Letter and execute the Outside Service Agreement.
- ENGINEERING SERVICES; Jaspreet Mangat, 209-577-5253, jmangat@modestogov.com*

ACTION: (Wright/Williams; 7/0) Resolution 2025-228 approving a Will Serve Letter and Outside Service Agreement with CLR Properties LLC, a California Limited Liability Company, to connect to the City of Modesto's existing sewer system for the property located at 2204 Crows Landing Road (APN: 086-012-033) and authorizing the City Manager, or his designee, to the sign the Will Serve Letter and execute the Outside Service Agreement.

Consent

14. Consider approving the submittal of up to eight Federal Grant applications for Congestion Mitigation and Air Quality (CMAQ) and Surface Transportation Block

Grant (STBG) Funds. (Funding Source: Federal CMAQ Grant Funds, Federal STBG Grant Funds and Local Funds – Measure L)

- Resolution approving the submittal of up to eight Federal Grant applications for Congestion Mitigation and Air Quality (CMAQ) and Surface Transportation Block Grant (STBG) funds, and authorizing the City Manager, or his designee to execute all necessary grant documents.

ENGINEERING SERVICES; Michael Sacuskie, 209-571-5552, msacuskie@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-229 approving the submittal of up to eight Federal Grant applications for Congestion Mitigation and Air Quality (CMAQ) and Surface Transportation Block Grant (STBG) funds, and authorizing the City Manager, or his designee to execute all necessary grant documents.

Recess: 7:37 p.m.

Reconvened: 7:36 p.m.

Removed from Consent

15. Consider approving a Purchase and Sale Agreement with Central California Conference Association of Seventh Day Adventist Church for \$260,000; a Grant Deed, a Grant of Temporary Construction Easement and a Quit Claim Deed for Grantor's interest in the Hetch Hetchy right of way for the Hetch Hetchy and Claratina Avenue Structural Crossing Project. (Funding Source: Streets Capital Facility Fees)
 - Resolution approving a Purchase and Sale Agreement, Grant Deed, and Certificate of Acceptance with the Central California Conference Association of Seventh Day Adventist Church, a California Nonprofit Religious Corporation, for partial acquisition of an 11,005 square foot portion of real property, all of the Grantor's interests and rights in a 2,803 square foot portion of land in Hetch Hetchy right of way, 7,085 square feet for a Temporary Construction Easement (TCE), and Severance Damages (consisting of removal of a 1,370 square foot single family residence) located at 301 Claratina Avenue (APN 082-009-003), in the amount of \$260,000 plus closing costs for the Hetch Hetchy and Claratina Avenue Structural Crossing Project, and authorizing the City Manager, or his designee, to execute the Purchase and Sale Agreement, accept the Grant Deed and sign the Certificate of Acceptance for the partial acquisition of real property, sign the Grant of Temporary Construction Easement (TCE) Agreement and the Certificate of Acceptance for the Temporary Construction Easement (TCE), Accept the Quit Claim Deed and sign the Certificate of Acceptance of the Quit Claim Deed, and sign all related documents required to complete the sale and close escrow.

ENGINEERING SERVICES; Michael Sacuskie, 209-571-5552, msacuskie@modestogov.com

ACTION: (Escutia-Braaton/Wright; 7/0) Resolution 2025-230 approving a Purchase and Sale Agreement, Grant Deed, and Certificate of Acceptance with the Central California Conference Association of Seventh Day Adventist Church, a

California Nonprofit Religious Corporation, for partial acquisition of an 11,005 square foot portion of real property, all of the Grantor's interests and rights in a 2,803 square foot portion of land in Hetch Hetchy right of way, 7,085 square feet for a Temporary Construction Easement (TCE), and Severance Damages (consisting of removal of a 1,370 square foot single family residence) located at 301 Claratina Avenue (APN 082-009-003), in the amount of \$260,000 plus closing costs for the Hetch Hetchy and Claratina Avenue Structural Crossing Project, and authorizing the City Manager, or his designee, to execute the Purchase and Sale Agreement, accept the Grant Deed and sign the Certificate of Acceptance for the partial acquisition of real property, sign the Grant of Temporary Construction Easement (TCE) Agreement and the Certificate of Acceptance for the Temporary Construction Easement (TCE), Accept the Quit Claim Deed and sign the Certificate of Acceptance of the Quit Claim Deed, and sign all related documents required to complete the sale and close escrow.

Consent

16. Consider approving the Plans and Specifications for the Park Turf Reduction, Phase 2 Project, and awarding a Construction Contract to Marina Landscape, Inc., of Orange, CA, in an amount not to exceed \$1,029,236. (Funding Source: Urban Community Drought Relief Grant Program)
- Resolution approving the Plans and Specifications for the Park Turf Reduction, Phase 2 Project, and awarding a Construction Contract to Marina Landscape, Inc., of Orange, CA, in the amount of \$935,669 plus \$93,567 in contingency (if needed), for a total amount not to exceed \$1,029,236 and authorizing the City Manager, or his designee, to execute the Contract.
- ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com*

ACTION: (Wright/Williams; 7/0) Resolution 2025-231 approving the Plans and Specifications for the Park Turf Reduction, Phase 2 Project, and awarding a Construction Contract to Marina Landscape, Inc., of Orange, CA, in the amount of \$935,669 plus \$93,567 in contingency (if needed), for a total amount not to exceed \$1,029,236 and authorizing the City Manager, or his designee, to execute the Contract.

Consent

17. Consider approving the First Amendment with Peregrine Technologies, San Francisco, CA, for Analytics and Data Integration platform increasing the Agreement amount by \$60,000. (Funding Source: Traffic Safety Fund and State Supplemental Law Enforcement Services Fund)
- Resolution approving the First Amendment with Peregrine Technologies, San Francisco, CA, for Analytics and Data Integration platform increasing the Agreement amount by \$60,000, to a new annual estimated amount of \$204,500, and a new total amount of \$613,500 through the term of the agreement; and authorizing the City Manager, or his designee to execute the Amendment.
- POLICE DEPARTMENT; Chris Adams, 209-572-9500, adamsc@modestopd.com*

ACTION: (Wright/Williams; 7/0) Resolution 2025-232 approving the First Amendment with Peregrine Technologies, San Francisco, CA, for Analytics and Data

Integration platform increasing the Agreement amount by \$60,000, to a new annual estimated amount of \$204,500, and a new total amount of \$613,500 through the term of the agreement; and authorizing the City Manager, or his designee to execute the Amendment.

Consent

18. Consider approving the submission of a grant application for the California Violence Intervention and Prevention (CalVIP) Grant Program to the Board of State and Community Corrections for up to \$2 million in grant funds. (Funding Source: General Fund)

- Resolution approving the submission of a grant application for the California Violence Intervention and Prevention (CalVIP) Grant Program to the Board of State and Community Corrections for up to \$2 million in grant funds and authorizing the City Manager, or his designee, as agent to execute and submit all documents which may be necessary for the completion of the grant application.

POLICE DEPARTMENT; Chris Adams, 209-572-9500, adamsc@modestopd.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-233 approving the submission of a grant application for the California Violence Intervention and Prevention (CalVIP) Grant Program to the Board of State and Community Corrections for up to \$2 million in grant funds and authorizing the City Manager, or his designee, as agent to execute and submit all documents which may be necessary for the completion of the grant application.

Consent

19. Consider approving the Grant Applications, 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. (Funding Source: Not Applicable)

- Resolution approving the submittal of Grant Applications, Grant Awards, and amending the annual budgets for all Beverage Container Recycling City/County Payment Programs to the California Department of Resources, Recycling and Recovery, and authorizing the City Manager, or his designee, to execute all related documents.

PUBLIC WORKS; Kolton Pacheco, 209-577-5493, kpacheco@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-234 approving the submittal of Grant Applications, Grant Awards, and amending the annual budgets for all Beverage Container Recycling City/County Payment Programs to the California Department of Resources, Recycling and Recovery, and authorizing the City Manager, or his designee, to execute all related documents.

Consent

20. Consider approving submittal of Grant Applications, accepting Grant Awards, and amending the annual budgets for all Used Oil Payment Program Grants to California Department of Resources, Recycling and Recovery. (Funding Source: Not Applicable)
- Resolution approving submittal of Grant Applications, and Grant Awards to the California Department of Resources, Recycling and Recovery (CalRecycle) for all Used Oil Payment Programs, accepting payment, amending the annual budget and authorizing the City Manager, or his designee, to execute all related documents.

PUBLIC WORKS; Kolton Pacheco, 209-577-5493, kpacheco@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-235 approving submittal of Grant Applications, and Grant Awards to the California Department of Resources, Recycling and Recovery (CalRecycle) for all Used Oil Payment Programs, accepting payment, amending the annual budget and authorizing the City Manager, or his designee, to execute all related documents.

Consent

21. Consider approving a list of projects to be funded with Road Repair and Accountability Act Tax proceeds for Fiscal Year 2025-2026. (Funding Source: Senate Bill 1 Funds)
- Resolution approving the list of projects to be funded with Road Repair and Accountability Act Tax proceeds in Fiscal Year 2025-2026 in an amount up to \$5,753,385, and authorizing the City Manager or his designee, to approve the projects.

PUBLIC WORKS; John Sphar, 209-342-2235, jsphar@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-236 approving the list of projects to be funded with Road Repair and Accountability Act Tax proceeds in Fiscal Year 2025-2026 in an amount up to \$5,753,385, and authorizing the City Manager or his designee, to approve the projects.

Consent

22. Consider approving the extension of the Compost Facility Flexible Sales Pricing Pilot Program, originally approved on April 2, 2019, for a five-year extension effective August 1, 2025, through July 31, 2030. (Funding Source: Compost Fund)
- Resolution approving the extension of the Compost Facility Flexible Sales Pricing Pilot Program for a five-year extension effective August 1, 2025, through July 31, 2030.

PUBLIC WORKS; Guillermo Padilla Aguilera, 209-571-5145, gaguilera@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-237 approving the extension of the Compost Facility Flexible Sales Pricing Pilot Program for a five-year extension effective August 1, 2025, through July 31, 2030.

Consent

23. Consider approving the First Amendment with HDR Engineering, Inc., of Folsom, CA to complete assigned work and to gain Regulatory Compliance for the Carpenter Road Landfill, Modesto California, increasing the Agreement amount by \$47,800 over the term of the Agreement. (Funding Source: Carpenter Road Landfill)

- Resolution approving the First Amendment with HDR Engineering, Inc. to complete assigned work and to gain Regulatory Compliance for the Carpenter Road Landfill, Modesto California, increasing the Agreement amount by \$47,800 to a new total amount of \$351,450 through the term of the Agreement; and authorizing the City Manager, or his designee to execute the Amendment.

PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-238 approving the First Amendment with HDR Engineering, Inc. to complete assigned work and to gain Regulatory Compliance for the Carpenter Road Landfill, Modesto California, increasing the Agreement amount by \$47,800 to a new total amount of \$351,450 through the term of the Agreement; and authorizing the City Manager, or his designee to execute the Amendment.

Consent

24. Consider approving the Second Amendment with HDR Engineering, Inc. Folsom, CA for the Feasibility Study for Compost, increasing the Agreement amount by \$94,658 over the term of the Agreement. (Funding Source: Compost Facility Improvement Fund)

- Resolution approving the Second Amendment with HDR Engineering, Inc. for the Feasibility Study for Compost, increasing the Agreement amount by \$94,658 to a revised total amount not to exceed \$287,775 over the term of the Agreement; and authorizing the City Manager, or his designee to execute the Amendment.

PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-239 approving the Second Amendment with HDR Engineering, Inc. for the Feasibility Study for Compost, increasing the Agreement amount by \$94,658 to a revised total amount not to exceed \$287,775 over the term of the Agreement; and authorizing the City Manager, or his designee to execute the Amendment.

Consent

25. Consider confirming the detachment of a non-contiguous City property deeded to Reclamation District 2091. (Funding Source: Sewer Operations Fund)

- Resolution confirming detachment of non-contiguous City of Modesto properties deeded to Reclamation District 2091, reverting the property back to unincorporated status within the County of Stanislaus and authorizing the City Manager, or his designee, to execute any and all necessary documents required for City detachment.

UTILITIES; Jeff Daniels, 209-577-6255, jdaniels@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-240 confirming detachment of non-contiguous City of Modesto properties deeded to Reclamation District 2091, reverting the property back to unincorporated status within the County of Stanislaus and authorizing the City Manager, or his designee, to execute any and all necessary documents required for City detachment.

Consent

26. Consider approving an Architectural Services Agreement with RED INC Architects, of Modesto, CA, for the Fire Station 1 Rehabilitation and Tenant Improvements Project in the amount of \$429,490, plus \$42,949 in additional services, if needed, for an Agreement total not to exceed \$472,439. (Funding Source: America Rescue Plan Act Grants Fund)

- Resolution approving an Architectural Services Agreement with RED INC Architects, of Modesto, CA for the Fire Station 1 Rehabilitation and Tenant Improvements Project in the amount of \$429,490, plus \$42,949 in additional services, if needed, for an Agreement total not to exceed \$472,439, and authorizing the City Manager, or his designee, to execute the Agreement.

UTILITIES; Cristian Ciotau, 209-571-5175, cciotau@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-241 approving an Architectural Services Agreement with RED INC Architects, of Modesto, CA for the Fire Station 1 Rehabilitation and Tenant Improvements Project in the amount of \$429,490, plus \$42,949 in additional services, if needed, for an Agreement total not to exceed \$472,439, and authorizing the City Manager, or his designee, to execute the Agreement.

COUNCIL COMMENTS & REPORTS

Councilmember Ricci acknowledged the concerns raised by the public about their rights and City Ordinances. He emphasized that these issues should be addressed by the Civilian Police Review Board, which was established by the Council. He mentioned that the board will hear a presentation from the Modesto Police Department about the June 14th protests at their next meeting. The board will also review the current Ordinance and examine public concerns. Ricci expressed pride in Modesto's willingness to evaluate and improve its policies and processes to enhance public safety.

Councilmember Williams agreed wholeheartedly with what Councilmember Ricci had stated.

Councilmember Alvarez recognized the importance of standing up against discrimination, especially for immigrant and Latino communities. Sharing his own family's history of discrimination, he emphasized the need for genuine solidarity in addressing injustices, not just for popular causes but for long-term change. He expressed support for peaceful protests and called for transparency and coordination to prevent harm during such events. Alvarez highlighted the significant role immigrants play in the local economy and reaffirmed his commitment to policies that protect both public safety and human dignity.

Councilmember Escutia-Braaton expressed pride in her heritage as a Latina and the daughter of immigrant parents who worked hard to provide opportunities for their family. She emphasized her dedication to serving the Modesto community and acknowledged the recent peaceful demonstrations that took place. While noting serious incidents reported from the June 14th gathering, she urged that these concerns should not be dismissed. She commended the Modesto Police Department for its efforts to maintain safety during the event and acknowledged the challenges of preserving public order. She called for ongoing respectful dialogue, collaboration, and a shared commitment to community well-being, stressing that unity does not require agreement but a collective dedication to finding solutions.

Mayor Zwahlen expressed appreciation for the community members who shared their views at the meeting, stating that their input was heard and valued. She emphasized the importance of continued collaboration, respectful dialogue, and her pride in Modesto's ability to engage in constructive discussions despite differing opinions.

CITY MANAGER COMMENTS & REPORTS

None.

HEARINGS

Published in the Modesto Bee on June 13, 2025.

27. Hearing to consider approving Fiscal Year 2025-26 Diagram and Annual Assessment and ordering the Levy and Collection of Charges within Landscape Maintenance Assessment District No. 1 for Dry Creek Meadows Subdivisions Nos. 1-6. (Funding Source: Landscape Maintenance District No. 1)
- Resolution ordering the levy and collection of such charges as shown within the Engineer's Annual Report within the City of Modesto Landscape Maintenance Assessment District No. 1 for the Dry Creek Meadows Subdivisions Nos. 1-6 for Fiscal Year 2025-26.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-242 ordering the levy and collection of such charges as shown within the Engineer's Annual Report within the City of Modesto Landscape Maintenance Assessment District No. 1 for the Dry Creek Meadows Subdivisions Nos. 1-6 for Fiscal Year 2025-26.

Published in the Modesto Bee on June 13, 2025.

28. Hearing to consider approving Fiscal Year 2025-26 Diagram and Annual 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 Subdivisions Units 1 and 2. (Funding Source: Landscape Maintenance District No. 2)

- Resolution ordering the levy and collection of such charges as shown within the Engineer’s Annual Report within the City of Modesto Landscape Maintenance Assessment District No. 2 for Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision, and Yosemite Meadows Subdivision Units 1 and 2 for Fiscal Year 2025-26.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Williams/Alvarez; 7/0) Resolution 2025-243 ordering the levy and collection of such charges as shown within the Engineer’s Annual Report within the City of Modesto Landscape Maintenance Assessment District No. 2 for Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision, and Yosemite Meadows Subdivision Units 1 and 2 for Fiscal Year 2025-26.

Published in the Modesto Bee on June 13, 2025.

29. Hearing to consider approving Fiscal Year 2025-26 Diagram and Annual Assessment and ordering the Levy and Collection of Charges within Shackelford Landscape and Lighting District. (Funding Source: Shackelford Landscape and Lighting District)
- Resolution ordering the levy and collection of such charges as shown within the Engineer’s Annual Report within the City of Modesto Shackelford Landscape and Lighting District for Fiscal Year 2025-26.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Wright/Ricci; 7/0) Resolution 2025-244 ordering the levy and collection of such charges as shown within the Engineer’s Annual Report within the City of Modesto Shackelford Landscape and Lighting District for Fiscal Year 2025-26.

Published in the Modesto Bee on May 25, 2025.

30. Hearing to consider approving the 2025-2030 Consolidated Plan, accepting HUD program funds awarded through the Program Year 2025-2026 Annual Action Plan and approving the Citizens Participation Plan as required by the U.S. Department of Housing and Urban Development Department (HUD). (Funding Source: Community Development Block Grant, HOME Investment Partnerships, and Emergency Solutions Grant Funds.)
- Resolution approving the 2025-2030 Consolidated Plan, accepting HUD program funds awarded through the Program Year 2025-2026 Annual Action Plan as required by the U.S. Department of Housing and Urban Development Department (HUD) 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 2025-2030 Consolidated Plan and Program Year 2025-2026 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 Section 1 Policy – Citizen Participation Plan for HUD Programs of the Housing and Urban Development Policies and Procedures

Manual as required by the U.S. Department of Housing and Urban Development Department (HUD).
CED; Edgar Garcia, 209-571-5101, edgarcia@modestogov.com

ACTION: (Escutia-Braaton/Alvarez; 7/0) Resolution 2025-245 approving the 2025-2030 Consolidated Plan, accepting HUD program funds awarded through the Program Year 2025-2026 Annual Action Plan as required by the U.S. Department of Housing and Urban Development Department (HUD) 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 2025-2030 Consolidated Plan and Program Year 2025-2026 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: (Escutia-Braaton/Alvarez; 7/0) Resolution 2025-246 amending the Section 1 Policy – Citizen Participation Plan for HUD Programs of the Housing and Urban Development Policies and Procedures Manual as required by the U.S. Department of Housing and Urban Development Department (HUD).

Published in the Modesto Bee on May 21, 2025. - Item continued from June 10, 2025 Council meeting.

31. Hearing to consider approving an Amendment to the Modesto Urban Area General Plan to change the land use of approximately 70 acres from Business Park (BP) to Residential (R); approving the Founders Point East Specific Plan, for the development of 220 acres located northeast of the Pelandale Avenue and Tully Road Intersection; approving the filing of an application to the Stanislaus County Local Agency Formation Commission for the Founders Point East Reorganization to the City of Modesto; approving an Ordinance amending Section 5-3-9 of the Zoning Map of the City of Modesto to prezone The Founders Point East Specific Plan to the Specific Plan (P-SP) Zone; and adopting a Mitigated Negative Declaration for these actions (Fitzpatrick Land Development, LLC). (Funding Source: Application Fees)
- Resolution approving an amendment to the Land Use Element of the Modesto Urban Area General Plan to change the land use of approximately 70 acres from Business Park (BP) uses to Residential (R) uses (Fitzpatrick Land Development, LLC).
 - Resolution approving the Founders Point East Specific Plan, for the development of approximately 220 acres located north of Pelandale Avenue, south of Kiernan Avenue, east of Tully Road and west of the former Tidewater Railroad/future Virginia Trail Corridor (Fitzpatrick Land Development, LLC).
 - Resolution approving the filing of an application to the Stanislaus County Local Agency Formation Commission for the Reorganization of approximately 220 acres located north of Pelandale Avenue, south of Kiernan Avenue, east of Tully Road and west of the former Tidewater Railroad/future Virginia Trail Corridor, including rights of way on Pelandale Avenue, Kiernan Avenue and

Tully Road for Annexation to the City of Modesto (Owner Initiated Uninhabited).

- Resolution adopting a Mitigated Negative Declaration for the General Plan Amendment, Founders Point Specific Plan, Prezone and application for the reorganization of Founders Point East Specific Plan to the City of Modesto.
- Motion introducing and waiving the first reading of an Ordinance amending Section 5-3-9 of the Zoning Map of the City of Modesto to prezone to Specific Plan (P-SP) Zone for The Founders Point East Specific Plan, approximately 220 acres located north of Pelandale Avenue, south of Kiernan Avenue, east of Tully Road and west of the former Tidewater Railroad/Future Virginia Trail Corridor (Fitzpatrick Land Development, LLC).

CED; Katharine Martin, 209-577-5465, kamartin@modestogov.com

ACTION: (Wright/Ricci; 7/0) Resolution 2025-247 approving an amendment to the Land Use Element of the Modesto Urban Area General Plan to change the land use of approximately 70 acres from Business Park (BP) uses to Residential (R) uses (Fitzpatrick Land Development, LLC).

ACTION: (Williams/Ricci; 7/0) Resolution 2025-248 approving the Founders Point East Specific Plan, for the development of approximately 220 acres located north of Pelandale Avenue, south of Kiernan Avenue, east of Tully Road and west of the former Tidewater Railroad/future Virginia Trail Corridor (Fitzpatrick Land Development, LLC).

ACTION: (Williams/Alvarez; 7/0) Resolution 2025-249 approving the filing of an application to the Stanislaus County Local Agency Formation Commission for the Reorganization of approximately 220 acres located north of Pelandale Avenue, south of Kiernan Avenue, east of Tully Road and west of the former Tidewater Railroad/future Virginia Trail Corridor, including rights of way on Pelandale Avenue, Kiernan Avenue and Tully Road for Annexation to the City of Modesto (Owner Initiated Uninhabited).

ACTION: (Bavaro/Wright; 7/0) Resolution 2025-250 adopting a Mitigated Negative Declaration for the General Plan Amendment, Founders Point Specific Plan, Prezone and application for the reorganization of Founders Point East Specific Plan to the City of Modesto. **(AS AMENDED)**

ACTION: (Wright/Bavaro; 7/0) Motion introducing and waiving the first reading of an **Ordinance 3798-C.S.** amending Section 5-3-9 of the Zoning Map of the City of Modesto to prezone to Specific Plan (P-SP) Zone for The Founders Point East Specific Plan, approximately 220 acres located north of Pelandale Avenue, south of Kiernan Avenue, east of Tully Road and west of the former Tidewater Railroad/Future Virginia Trail Corridor (Fitzpatrick Land Development, LLC).

Published in the Modesto Bee on June 4, 2025.

32. Hearing to consider approving a Precise Plan Amendment to Precise Plan No. 35 South to amend the Circulation Plan. (Funding Source: Developer Fees)

- Motion introducing and waiving the first reading of an Ordinance amending Precise Plan No. 35 South of the Village One Specific Plan to modify the Circulation Plan and adopting the 15162 analysis and CEQA exemption.

CED; Michael Hren, 209-577-5273, mhren@modestogov.com

ACTION: (Wright/Ricci; 7/0) Motion introducing and waiving the first reading of an **Ordinance 3799-C.S.** amending Precise Plan No. 35 South of the Village One Specific Plan to modify the Circulation Plan and adopting the 15162 analysis and CEQA exemption.

NEW BUSINESS

33. Consider approving the Plans and Specifications for Dr. Martin Luther King, Jr. Park Renovation Project, accepting the Bid and Awarding a Construction Contract to Harris Builders, Inc. of Hilmar, CA., for a total payment amount not to exceed \$11,875,792; consider approving an Agreement with TRC Engineering, Inc. of Lathrop, CA, for Construction Management and Inspection Services for a total amount not to exceed \$1,042,319; and consider approving a First Amendment to the Agreement with Callander Associates Landscape Architecture, Inc. of Gold River, CA, increasing the Agreement amount by \$20,000. (Funding Source: Various Funds)

- Resolution approving the approval of the Plans and Specifications for the Dr. Martin Luther King, Jr. Park Renovation Project, accepting the Bid and Awarding a Construction Contract to Harris Builders, Inc., of Hilmar, CA, in the amount of \$10,996,103, authorizing \$879,689, in contingency (if needed), for a total payment amount not to exceed \$11,875,792 and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution approving the Agreement with TRC Engineering, Inc, of Lathrop, CA, for Construction Management and Inspection Services for the Dr. Martin Luther King, Jr. Park Renovation Project in the amount of \$947,563, plus \$94,756 in additional services, if needed, for a total amount not to exceed \$1,042,319 and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution approving a First Amendment to the Agreement with Callander Associates Landscape Architecture, Inc., of Gold River, CA, for additional Design Support during the Construction Phase of the Project for the Dr. Martin Luther King, Jr. Park Renovation Project, increasing the Agreement amount by \$20,000, to a new total amount not to exceed \$704,927, plus \$68,492 in additional services, if needed, for a total amount not to exceed \$773,419 and authorizing the City Manager, or his designee, to execute the Amendment.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Alvarez/Williams; 7/0) Resolution 2025-251 approving the approval of the Plans and Specifications for the Dr. Martin Luther King, Jr. Park Renovation Project, accepting the Bid and Awarding a Construction Contract to Harris Builders, Inc., of Hilmar, CA, in the amount of \$10,996,103, authorizing \$879,689, in

contingency (if needed), for a total payment amount not to exceed \$11,875,792 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Alvarez/Williams; 7/0) Resolution 2025-252 approving the Agreement with TRC Engineering, Inc, of Lathrop, CA, for Construction Management and Inspection Services for the Dr. Martin Luther King, Jr. Park Renovation Project in the amount of \$947,563, plus \$94,756 in additional services, if needed, for a total amount not to exceed \$1,042,319 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Alvarez/Williams; 7/0) Resolution 2025-253 approving a First Amendment to the Agreement with Callander Associates Landscape Architecture, Inc., of Gold River, CA, for additional Design Support during the Construction Phase of the Project for the Dr. Martin Luther King, Jr. Park Renovation Project, increasing the Agreement amount by \$20,000, to a new total amount not to exceed \$704,927, plus \$68,492 in additional services, if needed, for a total amount not to exceed \$773,419 and authorizing the City Manager, or his designee, to execute the Amendment.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 8:57 P.M.

Attest: _____
Dana Sanchez, Assistant City Clerk

All Closed Session Matters Heard Prior to the Meeting

CLOSED SESSION

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, et al. v. The Dow Chemical Company, et al.
(PCE)
Superior Court of the State of California
Case No: CGC-98-999345 and CGC-98-999643

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

One Case (Pursuant to Section 54956.9(a) of the Government Code)

Name of case(s): Matthew Ponce v. City of Modesto
California Workers Compensation Appeals Board
Nos. ADJ16177617

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

(Pursuant to Section 54956.8 of the Government Code)

Property: 601 Neece Dr., Modesto, CA 95351; APN: 102-012-001 and 102-012-004

Property Owners: City of Modesto

Negotiating Parties:

For City: Joseph P. Lopez, City Manager

For Lessee: Michael Shapiro, President – Pioneer Baseball League

Under Negotiation: Price and Terms of Lease

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Pursuant to Section 54957 of the Government Code)

Title: City Manager

CONFERENCE WITH LABOR NEGOTIATOR:

(Pursuant to Section 54957.6 of the Government Code) – Unrepresented Employee

Negotiator: Mayor Sue Zwalen

Unrepresented Employee: City Manager

MINUTES

City of Modesto
SPECIAL CITY COUNCIL MEETING
Arbor Theatre, Modesto Centre Plaza
1001 K Street
Modesto, California
Wednesday, June 25, 2025, at 8:30 AM

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen

Absent: None

Declaration of Conflict of Interest: Item 1 - Councilmember Williams

PUBLIC COMMENT IN PERSON

None.

UNFINISHED BUSINESS

Councilmember Williams Recused

1. Update regarding the expansion of the United Soccer League (USL) into the City of Modesto and potential locations for a soccer stadium and sports district. (Funding Source: Not Applicable)

Staff Recommendation:

- Receive update regarding the expansion of the United Soccer League (USL) into the City of Modesto and to discuss and provide staff with direction regarding potential locations for a soccer stadium and sports district.

CITY MANAGER; Joseph Lopez, 209-577-5223, joelopez@modestogov.com

This item was presented.

Recessed at 9:38 a.m.

Reconvened at 9:50 a.m.

Mayor Zwahlen invited public comment on this matter. Several members of the public commented on this item.

[Lunch Recess: 12:05 p.m. – 1:05 p.m.]

ACTION: (Bavaro/Ricci; 6/0; Williams Recused) Motion to postpone the decision for one month.

MATTERS TOO LATE FOR THE AGENDA

None

ADJOURNMENT

This meeting adjourned at 2:25 P.M.

Attest: _____
Dana Sanchez, Assistant City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, July 22, 2025 at 5:30 PM

Special City Council – Closed Session Meeting 3:45 P.M.

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Mayor Zwahlen
Absent: Wright

Regular City Council Meeting 5:30 P.M.

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Mayor Zwahlen
Absent: Wright

Pledge of Allegiance to the Flag

Invocation: Mike Gunnarson, City Ministry Network

City Clerk’s Announcements: City Clerk announced Written comments for General Public Comment period and Hearing Item 30 were received and distributed to the Council.

Declaration of Conflicts of Interest: None.

Reports from Closed Session: No reportable action was taken.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring August 5th as National Night Out. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented proclamation declaring August 5th as National Night Out.

2. Proclamation declaring August 3rd - 9th as National Health Center Week 2025. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented proclamation declaring August 3rd - 9th as National Health Center Week 2025.

MISCELLANEOUS

3. Consider approving the appointment of Evan Yoshino as General Contractor and Douglas Higginbotham as Citizen-at-Large to the Housing Rehabilitation Loan Committee (HRLC), with a four-year term beginning in July 2025 with a term expiration of December 31, 2028. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointment of Evan Yoshino as General Contractor and Douglas Higginbotham as the Citizen-at-Large to the Housing Rehabilitation Loan Committee (HLRC), with a term expiration of December 31, 2028.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Escutia-Braaton/Williams; 6/0) Resolution 2025-254 approving the appointment of Evan Yoshino as General Contractor and Douglas Higginbotham as the Citizen-at-Large to the Housing Rehabilitation Loan Committee (HLRC), with a term expiration of December 31, 2028.

4. Consider approving the appointments of Jamie Reed and Carlos Verduzco to the City of Modesto Entertainment Commission with the terms ending December 31, 2027. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointments of Jamie Reed and Carlos Verduzco to the City of Modesto Entertainment Commission with the terms ending December 31, 2027.

CED; Jessica Hill, 209-577-5321, jhill@modestogov.com

ACTION: (Williams/Alvarez; 6/0) Resolution 2025-255 approving the appointments of Jamie Reed and Carlos Verduzco to the City of Modesto Entertainment Commission with the terms ending December 31, 2027.

5. Consider approving the appointment of Liberal “Lee” Avila to the City of Modesto Board of Zoning Adjustment with a term expiring December 31, 2028. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointment of Liberal "Lee" Avila to the City of Modesto Board of Zoning Adjustment with a first term expiring December 31, 2028

CED; Jessica Hill, 209-577-5267, jhill@modestogov.com

ACTION: (Alvarez/Zwahlen; 6/0) Resolution 2025-256 approving the appointment of Liberal "Lee" Avila to the City of Modesto Board of Zoning Adjustment with a first term expiring December 31, 2028

6. Consider approving the appointments of Daley Perry, Rachell LeVeige and Diego Capistran to the Equity Commission for partial unexpired terms ending December 31, 2026. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointments of Daley Perry, Rachell LeVeige and Diego Capistran to the Equity Commission for partial unexpired terms ending December 31, 2026.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Escutia-Braaton/Ricci; 6/0) Resolution 2025-257 approving the appointments of Daley Perry, Rachell LeVeige and Diego Capistran to the Equity Commission for partial unexpired terms ending December 31, 2026.

7. Consider approving the appointments of Maria Hernandez, Melanie Webb, and Melissa Burgess to the Blight Abatement Advisory Committee for a four-year term with an expiration date of December 31, 2029. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointments of Maria Hernandez, Melanie Webb, and Melissa Burgess to the Blight Abatement Advisory Committee for a four-year term with an expiration date of December 31, 2029.

PUBLIC WORKS; Rosene Nguyen, 209-577-5453, rnguyen@modestogov.com

ACTION: (Ricci/Williams; 6/0) Resolution 2025-258 approving the appointments of Maria Hernandez, Melanie Webb, and Melissa Burgess to the Blight Abatement Advisory Committee for a four-year term with an expiration date of December 31, 2029.

PUBLIC COMMENT IN PERSON

- Blake Wilson, a sustainability grad student, urged the Modesto Council to adopt clean transportation programs like those in Stockton and Fresno. He highlighted affordable EV and e-bike shares, mobility credits, and job training, encouraging the city to use state and federal funds for a more sustainable, equitable future.
- John Mataka, representing Valley Improvement Projects and the Grayson Neighborhood Council, spoke against Modesto's mask Ordinance (§4-23.02) and urged the Council to repeal it and drop charges against seven arrested individuals. He compared the police's masked, unmarked tactics to ICE raids, which led Grayson to cancel its National Night Out. He warned of possible litigation over violations of protest rights and criticized the hypocrisy of masked officers arresting people for wearing masks.
- Mohammed Rashid introduced himself as an advocate in Stanislaus County and attended the meeting to observe how the Council operates. He offered to be a resource and left his contact information with the Deputy City Manager.

- Nora Garcia, a Modesto resident, urged the Council to repeal the mask ban during protests and support an independent investigation into the June 14th arrests. She criticized the Police Department's handling of the event, calling it biased and escalatory, and challenged the city's current oversight process as ineffective. Nora also condemned dismissive rhetoric about discrimination and emphasized the value of allyship and holding leadership accountable, regardless of ethnicity. Nora Garcia, a Modesto resident, urged the Council to repeal the mask ban during protests and support an independent investigation into the June 14th arrests. She criticized the Police Department's handling of the event, calling it biased and escalatory, and challenged the city's current oversight process as ineffective. Nora also condemned dismissive rhetoric about discrimination and emphasized the value of allyship and holding leadership accountable, regardless of ethnicity.
- Alejandra Ramirez asked the Council to prioritize installing a sidewalk on one side of her elderly, disabled parents' property in West Modesto. Despite recent roadwork, the area remains unpaved, posing serious safety risks. Although they've been added to the ADA list, there's no timeline for improvements, and Alejandra stressed the urgent need for action due to her parents' limited mobility.
- Ken White expressed concern over the possible departure of the Modesto Nuts, emphasizing baseball's long-standing role in the City's history and its importance to local youth. He urged the Council to take action to keep professional baseball in Modesto, highlighting its cultural and community value.
- Danielle Morgan from Assemblyman Juan Alanis's office provided a legislative update, noting that four of his bills (AB 16, 17, 310, and 528) are still moving through the process during the summer recess. She encouraged the Council to reach out with any questions.
- Art Fabela spoke out against the proposed acquisition of his and 13 neighbors' homes (Parcel C) for the West Modesto stadium project. Though initially supportive, he now opposes it due to the low proposed compensation, which he says wouldn't cover a comparable home. He emphasized the unique value of his riverfront property and called for fair compensation if the City moves forward with the project.
- Steve spoke to the Council about his concerns regarding police conduct and Council oversight. He referenced a past personal incident involving a Councilmember and the Police Chief, criticized the handling of protest-related arrests, and requested that all charges be dropped, records cleared, and the mask Ordinance repealed. He also referenced a Councilmember's comments about enforcement and urged full adoption of the coalition's demands.
- Teresa Gamboa, chair of the Woodland West Community and a Neighborhood Watch Coordinator, thanked City staff and Officials for their support in improving neighborhood safety. She praised a Councilmember for consistent involvement, acknowledged the efforts of the Police Department, Public Works, Parks and

Recreation, and Economic Development Staff, and highlighted the positive impact of increased patrols and park upgrades. She invited everyone to attend her neighborhood's National Night Out event.

- Brian Evitt shared concerns about a personal burglary incident, stating that Modesto Police released the suspect and mishandled the situation, resulting in a denied insurance claim and his own arrest based on the suspect's accusation. He criticized police training, the handling of foster care placements, and local practices around prescription drugs and marijuana dispensaries. He also raised issues with hospital policies and called for systemic changes in City operations.
- Harlan Diven addressed the Council regarding the June 14th arrests under the City's mask Ordinance, stating that the arrests targeted organizers, young people, and the unhoused during a protest. They called for the charges to be dropped, the Ordinance repealed, and an independent investigation into the Police Department's actions, asserting that the current Police Review Board is insufficient.
- Manuela, representing the Central Valley BIPOC Coalition, called for the repeal of Modesto's mask Ordinance, the dismissal of charges from the June 14th arrests, and an independent investigation into police conduct. She also criticized the City's spending priorities, advocating for investment in social services, healthcare, and environmental improvements instead of policing.
- Julissa, representing the Central Valley BIPOC Coalition, called for the repeal of Modesto's mask Ordinance and dismissal of charges from the June 14th protest arrests. She emphasized ongoing health concerns related to COVID-19, criticized the Police for racial profiling and surveillance, and urged stronger oversight powers for the Community Police Review Board. She also demanded an end to targeted policing of marginalized groups and greater accountability for Police misconduct.
- Emerson Drake, a Modesto resident, criticized Councilmembers serving on StanCog for inaction and lack of accountability regarding financial mismanagement. He expressed concerns about targeted enforcement of the mask Ordinance, Police using masks while arresting protesters, and the City's handling of public participation. He urged the Council to take responsibility and better serve the community.
- Kevin McClarty urged the Council to use their authority to place the mask Ordinance repeal on the agenda for the next meeting, enabling a formal discussion and vote on the matter.
- Madison Conde spoke in solidarity with the community, urging the repeal of the mask Ordinance. She criticized the Ordinance as oppressive, lacking evidence of improving safety, and targeting protesters exercising their First Amendment rights. She challenged Councilmembers to take a clear stand against the Ordinance and support the community.

- A member of the public defended the Modesto Police Department's enforcement of the mask Ordinance at protests, emphasizing the need for order, visibility, and surveillance to maintain public safety. They supported broad and vague laws to allow discretion in enforcement, including monitoring protests with cameras, drones, and social media. The speaker framed these actions as necessary crowd management rather than censorship, praising the Police for prioritizing safety over anonymous or disruptive protest.
- Leanne, a Modesto resident, urged the City Council to repeal the mask Ordinance that prohibits protesters from wearing masks, citing its use for Police intimidation and repression during a recent protest. She highlighted concerns from the ACLU and criticized the Council for lacking action and dismissing community demands. She called for increased accountability and oversight powers for the Community Police Review Board and emphasized that the Council must take responsibility and act to protect constitutional rights.
- A member of the public expressed concern over the Modesto Police Department's actions during the June 14th ICE Out protest, criticizing arrests made for wearing masks despite the protest being peaceful. They highlighted inconsistencies in Police enforcement and argued the arrests were aimed at silencing dissent rather than ensuring safety. The speaker called for repeal of the mask Ordinance, an independent investigation into Police misconduct, and dismissal of charges against those arrested. They emphasized the Council's responsibility to uphold constitutional rights and was disappointed in the lack of action on this issue.
- Nick, a participant in the ICE Out protest and No Kings rally, spoke about wearing masks for health and protection against Police surveillance. He criticized the Police for escalating tensions, targeting vulnerable groups, and abusing the mask mandate to suppress dissent. Nick called for a non-biased community investigation and increased civilian oversight to hold Police accountable and prevent further abuses.
- Hortensia Flores, a public servant and immigrant, spoke about peaceful protests against Trump administration policies affecting immigration and civil rights. She highlighted that her community was targeted and faced discrimination during arrests at a recent protest, with detainees held for long hours over mask Ordinance violations. She urged the Council to take the situation seriously, consider the impact on families and children, and work collaboratively to make positive changes for all community members.
- Leah Hassett spoke in support of repealing the mask Ordinance and investigating the June 14th incident. She witnessed arrests where officers wearing the same type of masks were arresting protesters, highlighting a double standard. She emphasized that charges against those arrested should be dropped. Leah compared the mask Ordinance to discriminatory voting laws that discourage people from exercising their rights.

- Will, a Modesto resident, spoke about witnessing an arrest at a recent protest. He felt the Police response was intimidating rather than de-escalating, which made him, and his girlfriend feel scared and almost leave. He emphasized that no one should be intimidated from exercising their right to protest.

Recess: 7:04 p.m.

Reconvened: 7:10 p.m.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 8, 10-21, 23, 26 (Alvarez/Bavaro; 6/0)

CONSENT

Consent

8. Consider approving the minutes for the June 24, 2025 Council Meeting. (Funding Source: Not Applicable)
- Motion approving the minutes for the June 24, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Alvarez/Bavaro; 6/0) Motion approving the minutes for the June 24, 2025 Council Meeting.

Removed from Consent

9. Consider approving Final Adoption of Ordinance 3798-C.S. amending Section 5-3-9 Of the Zoning Map of the City Of Modesto to Prezone to Specific Plan (P-Sp) Zone for the Founders Point East Specific Plan, approximately 220 Acres located North of Pelandale Avenue, South of Kiernan Avenue, East of Tully Road and West of the former Tidewater Railroad/Future Virginia Trail Corridor (Fitzpatrick Land Development, LLC). (Funding Source: Not Applicable)
- Motion approving Final Adoption of Ordinance 3798-C.S. amending Section 5-3-9 Of the Zoning Map of the City Of Modesto to Prezone to Specific Plan (P-Sp) Zone for the Founders Point East Specific Plan, approximately 220 Acres located North of Pelandale Avenue, South of Kiernan Avenue, East of Tully Road and West of the former Tidewater Railroad/Future Virginia Trail Corridor (Fitzpatrick Land Development, LLC).

CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Williams/Escutia-Braaton; 6/0) Motion approving Final Adoption of **Ordinance 3798-C.S.** amending Section 5-3-9 Of the Zoning Map of the City Of Modesto to Prezone to Specific Plan (P-Sp) Zone for the Founders Point East Specific Plan, approximately 220 Acres located North of Pelandale Avenue, South of Kiernan Avenue, East of Tully Road and West of the former Tidewater Railroad/Future Virginia Trail Corridor (Fitzpatrick Land Development, LLC).

Consent

10. Consider approving Final Adoption of Ordinance 3799-C.S. amending Precise Plan No. 35 South of the Village One Specific Plan to modify the Circulation Plan and adopting the 15162 Analysis and Ceqa Exemption. (Funding Source: Not Applicable)

- Motion approving Final Adoption of Ordinance 3799-C.S. amending Precise Plan No. 35 South of the Village One Specific Plan to modify the Circulation Plan and adopting the 15162 Analysis and Ceqa Exemption.

CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Alvarez/Bavaro; 6/0) Motion approving Final Adoption of Ordinance 3799-C.S. amending Precise Plan No. 35 South of the Village One Specific Plan to modify the Circulation Plan and adopting the 15162 Analysis and Ceqa Exemption.

Consent

11. Consider approving Amendments to various Legal Services Agreements for continued representation in tort cases, police related matters and personnel matters. (Funding Source: General Liability Insurance Fund)

- Resolution approving a Third Amendment to the Legal Services Agreement with Swingle, Van Egmond & Heitlinger increasing the Agreement amount by \$100,000, for a total Agreement amount not to exceed \$950,000 for continued representation in tort cases, and authorizing the City Manager or his designee, to execute the Amendment.
- Resolution approving a Fourth Amendment to the Legal Services Agreement with Rivera Hewitt Paul, LLP in the amount of \$150,000, for a total Agreement amount not to exceed \$700,000, for continued representation in police litigation matters and authorizing the City Manager or his designee, to execute the Amendment.
- Resolution approving a Second Amendment to the Legal Services Agreement with Angelo, Kilday and Kilduff in the amount of \$200,000, for a total Agreement amount not to exceed \$345,000 and increasing the hourly rates for continued representation in police litigation matters and authorizing the City Manager or his designee, to execute the Amendment.
- Resolution approving a Fourth Amendment to the Legal Services Agreement with Sanders Roberts, LLP in the amount of \$150,000, for a total Agreement amount not to exceed \$695,000, for continued representation in personnel matters, and authorizing the City Manager, or his designee, to execute the Amendment.

CITY ATTORNEY; Jose Sanchez, 209-577-5288, jsanchez@modestogov.com

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-259 approving a Third Amendment to the Legal Services Agreement with Swingle, Van Egmond & Heitlinger increasing the Agreement amount by \$100,000, for a total Agreement amount not to exceed \$950,000 for continued representation in tort cases, and authorizing the City Manager or his designee, to execute the Amendment.

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-260 approving a Fourth Amendment to the Legal Services Agreement with Rivera Hewitt Paul, LLP in the

amount of \$150,000, for a total Agreement amount not to exceed \$700,000, for continued representation in police litigation matters and authorizing the City Manager or his designee, to execute the Amendment.

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-261 approving a Second Amendment to the Legal Services Agreement with Angelo, Kilday and Kilduff in the amount of \$200,000, for a total Agreement amount not to exceed \$345,000 and increasing the hourly rates for continued representation in police litigation matters and authorizing the City Manager or his designee, to execute the Amendment.

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-262 approving a Fourth Amendment to the Legal Services Agreement with Sanders Roberts, LLP in the amount of \$150,000, for a total Agreement amount not to exceed \$695,000, for continued representation in personnel matters, and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

12. Consider approving the recommended budget adjustments to Fiscal Year 2024-25 Annual Operating and Capital Improvement Program Budgets. (Funding Source: Various Funds)
- Resolution amending Fiscal Year 2024-25 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.
- BUDGET; Kacey Culbertson, 209-571-5855, kculbertson@modestogov.com*

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-263 amending Fiscal Year 2024-25 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.

Consent

13. Consider approving Annexation Map #1 to the City of Modesto Community Facilities District No. 2024-1 (Tivoli) and authorizing the levy of special tax on the property located within the annexation map (Funding Source: Developer Deposit)
- Resolution approving Annexation #1 to City of Modesto Community Facilities District No. 2024-1 (Tivoli) and authorizing the levy of the special tax on the property located within the annexation map.
- CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com*

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-264 approving Annexation #1 to City of Modesto Community Facilities District No. 2024-1 (Tivoli) and authorizing the levy of the special tax on the property located within the annexation map.

Consent

14. Consider approving a Tenth Amendment to the Professional Design Services Agreement for the State Route 132 West Freeway/Expressway - Phase 1 Project with

Dokken Engineering, increasing the Agreement by \$35,000. (Funding Source: Regional Measure L)

- Resolution approving a Tenth Amendment to the Professional Design Services Agreement for the State Route 132 West Freeway/Expressway - Phase 1 Project with Dokken Engineering, increasing the Agreement by \$35,000 to a new total amount not to exceed \$9,571,933.

ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-265 approving a Tenth Amendment to the Professional Design Services Agreement for the State Route 132 West Freeway/Expressway - Phase 1 Project with Dokken Engineering, increasing the Agreement by \$35,000 to a new total amount not to exceed \$9,571,933.

Consent

15. Consider approving a Cost Sharing Agreement with the County of Stanislaus regarding reimbursement of costs related to the construction of Urban Pocket Area 9 – Colorado-Rouse Project. (Funding Source: State Earmark Funds)

- Resolution approving a Cost Sharing Agreement with the County of Stanislaus regarding reimbursement of costs related to the construction of Urban Pocket Area 9 – Colorado-Rouse Project and authorizing the City Manager or his designee to execute the Agreement.

ENGINEERING SERVICES; Jaspreet Mangat, 209-577-5253, jmangat@modestogov.com

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-266 approving a Cost Sharing Agreement with the County of Stanislaus regarding reimbursement of costs related to the construction of Urban Pocket Area 9 – Colorado-Rouse Project and authorizing the City Manager or his designee to execute the Agreement.

Consent

16. Consider approving the Final Map and Subdivision Improvement Agreement (SIA) for the Tivoli Arcadia Unit 1 Subdivision consisting of roughly 18.74 acres located North of Sylvan on future Aria Way APN # 083-004-090. (Funding Source: Developer Fees)

- Resolution approving the Final Map for Tivoli Arcadia Unit 1 Subdivision, approving the Subdivision Improvement Agreement and authorizing the City Manager, or designee, to execute the Agreement with the owner, KB Home North Bay LLC and authorize the City Clerk to certify the Final Map and record with the Stanislaus County Recorder's Office.

ENGINEERING SERVICES; Jaspreet Mangat, 209-577-5253, jmangat@modestogov.com

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-267 approving the Final Map for Tivoli Arcadia Unit 1 Subdivision, approving the Subdivision Improvement Agreement and authorizing the City Manager, or designee, to execute the Agreement with the owner, KB Home North Bay LLC and authorize the City Clerk to certify the Final Map and record with the Stanislaus County Recorder's Office.

Consent

17. Consider approving the Final Map and Subdivision Improvement Agreement (SIA) for the Tivoli Snow Subdivision consisting of roughly 38.91 acres located Northeast corner of Aria Way and Sylvan Avenue APN # 083-004-068. (Funding Source: Developer Fees)

- Resolution approving the Final Map for Tivoli Snow Subdivision, approving the Subdivision Improvement Agreement and authorizing the City Manager, or his designee, to execute the Agreement with KB Home North Bay LLC, and authorize the City Clerk to certify the Final Map and record with the Stanislaus County Recorder's office.

ENGINEERING SERVICES; Jaspreet Mangat, 209-577-5253, jmangat@modestogov.com

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-268 approving the Final Map for Tivoli Snow Subdivision, approving the Subdivision Improvement Agreement and authorizing the City Manager, or his designee, to execute the Agreement with KB Home North Bay LLC, and authorize the City Clerk to certify the Final Map and record with the Stanislaus County Recorder's office.

Consent

18. Consider accepting an Informational Report for the May 2025 Accounts Payable Payment Register and Void Report (Funding Source: Not Applicable)

- Motion accepting an Informational Report for the May 2025 Accounts Payable Payment Register and Void Report.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Alvarez/Bavaro; 6/0) Motion accepting an Informational Report for the May 2025 Accounts Payable Payment Register and Void Report.

Consent

19. Consider accepting the Monthly Investment Report for April 2025 (Funding Source: Various Funds)

- Motion accepting the Monthly Investment Report for April 2025.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Alvarez/Bavaro; 6/0) Motion accepting the Monthly Investment Report for April 2025.

Consent

20. Consider approving the purchase for three Fleet Additions for Fleet Vehicles which includes one Ravo 5-iSeries Compact Sweeper, one Boom Lift Genie Truck and one Ford F-550 Truck in a total amount not to exceed \$694,008. (Funding Source: Measure H, Water Fund, and Sewer Fund)

- Resolution approving the Competitive Bidding Process from Sourcewell to RAVO Holding BV, dba Fayat Environmental Solutions Americas Schwarze Industries, Inc., Fairfield, NJ under the authorized dealer, Municipal Maintenance Equipment, Sacramento, CA for the purchase of one Ravo 5-iSeries Compact Sweeper for an amount not to exceed \$318,346; and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order; and authorizing the Purchasing Manager or her designee to execute any change orders not to exceed 15% of the total purchase price.
- Resolution approving the Competitive Bidding Process from Sourcewell to Caterpillar Inc., Deerfield, IL under the authorized dealer, Holt of CA, Salida, CA for the purchase of one Boom Lift Genie Truck for an amount not to exceed \$181,500; and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order; and authorizing the Purchasing Manager or her designee to execute any change orders not to exceed 15% of the total purchase price.
- Resolution approving the Competitive Bidding Process from Sourcewell to Rush Enterprises dba Rush Truck Centers of New Braunfels, TX under the authorized dealer, Rush Medium-Duty Truck Centers of California Inc. dba Rush Truck Centers, Ceres, CA for the purchase of one Ford F-550 Truck for an amount not to exceed \$103,639; and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order; and authorizing the Purchasing Manager or her designee to execute any change orders not to exceed 15% of the total purchase price.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-269 approving the Competitive Bidding Process from Sourcewell to RAVO Holding BV, dba Fayat Environmental Solutions Americas Schwarze Industries, Inc., Fairfield, NJ under the authorized dealer, Municipal Maintenance Equipment, Sacramento, CA for the purchase of one Ravo 5-iSeries Compact Sweeper for an amount not to exceed \$318,346; and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order; and authorizing the Purchasing Manager or her designee to execute any change orders not to exceed 15% of the total purchase price.

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-270 approving the Competitive Bidding Process from Sourcewell to Caterpillar Inc., Deerfield, IL under the authorized dealer, Holt of CA, Salida, CA for the purchase of one Boom Lift Genie Truck for an amount not to exceed \$181,500; and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order; and authorizing the Purchasing Manager or her designee to execute any change orders not to exceed 15% of the total purchase price.

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-271 approving the Competitive Bidding Process from Sourcewell to Rush Enterprises dba Rush Truck Centers of New Braunfels, TX under the authorized dealer, Rush Medium-Duty Truck Centers of California Inc. dba Rush Truck Centers, Ceres, CA for the purchase of one Ford F-550 Truck for an amount not to exceed \$103,639; and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order; and authorizing the Purchasing Manager

or her designee to execute any change orders not to exceed 15% of the total purchase price.

Consent

21. Consider approving an Agreement with RingCentral, Inc., for Annual Telecommunication Services for a total amount not to exceed \$2,058,335 over five years. (Funding Source: Information Technology Fund)
- Resolution approving the Agreement with RingCentral, Inc., Belmont, CA, by utilizing the Competitive Bid Process from Region 4 ESC in partnership with OMNIA Partners, for Annual Telecommunication Services, for a three-year Agreement with two one-year extension options, for annual estimated amount of \$411,667 and a total amount not to exceed \$2,058,335 over five years and authorizing the City Manager, or his designee, to execute the Agreement.
- IT; Kyle Ford, 209-571-5593, dbooker@modestogov.com*

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-272 approving the Agreement with RingCentral, Inc., Belmont, CA, by utilizing the Competitive Bid Process from Region 4 ESC in partnership with OMNIA Partners, for Annual Telecommunication Services, for a three-year Agreement with two one-year extension options, for annual estimated amount of \$411,667 and a total amount not to exceed \$2,058,335 over five years and authorizing the City Manager, or his designee, to execute the Agreement.

Removed from Consent

22. Consider approving the First Amendment with Mather Aviation, LLC, Mather, CA, for Aircraft Maintenance and Repair Services increasing the Agreement amount by \$427,776 and extending the term of the Agreement from September 30, 2026, to September 30, 2027. (Funding Source: Various Funds)
- Resolution approving the First Amendment with Mather Aviation, LLC, for Aircraft Maintenance and Repair Services increasing the Agreement amount by \$427,776, to a new estimated annual amount of \$195,848, a new total amount not to exceed \$587,544 through the term of the Agreement and extending the term of the Agreement from September 30, 2026, to September 30, 2027; and authorizing the City Manager, or his designee to execute the Amendment.
- POLICE DEPARTMENT; Kalani Souza, 209-572-9500, souzak@modestopd.com*

ACTION: (Ricci/Bavaro; 6/0) Resolution 2025-273 approving the First Amendment with Mather Aviation, LLC, for Aircraft Maintenance and Repair Services increasing the Agreement amount by \$427,776, to a new estimated annual amount of \$195,848, a new total amount not to exceed \$587,544 through the term of the Agreement and extending the term of the Agreement from September 30, 2026, to September 30, 2027; and authorizing the City Manager, or his designee to execute the Amendment.

Consent

23. Consider approving the Memorandum of Understanding with Stanislaus County for Regional Solid Waste Disposal at Fink Road Landfill, with the term ending on June 30, 2035. (Funding Source: Various)

- Resolution approving the Memorandum of Understanding with Stanislaus County for Regional Solid Waste Disposal at Fink Road Landfill, with the term ending on June 30, 2035, and authorizing the City Manager, or his designee, to execute the Agreement.

PUBLIC WORKS; Kolton Pacheco, 209-577-5493, kpacheco@modestogov.com

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-274 approving the Memorandum of Understanding with Stanislaus County for Regional Solid Waste Disposal at Fink Road Landfill, with the term ending on June 30, 2035, and authorizing the City Manager, or his designee, to execute the Agreement.

Removed from Consent

24. Consider approving the Sole Source Procurement of a Caterpillar C27 Tier 4 Engine, or equivalent engine meeting Air Board regulations, to Holt of California, Sacramento, CA for an amount not to exceed \$271,720. (Funding Source: Compost Operations Fund)

- Resolution approving the Sole Source Procurement of a Caterpillar C27 Tier 4 Engine, or equivalent engine meeting Air Board regulations, to Holt of California, Sacramento, CA for an amount not to exceed \$271,720 including a 15% contingency for the repower of the Compost Diamond Z DZH5000 Horizontal, and authorizing the Director of Finance, or her designee, to issue the Purchase Order.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Bavaro/Alvarez; 6/0) Resolution 2025-275 approving the Sole Source Procurement of a Caterpillar C27 Tier 4 Engine, or equivalent engine meeting Air Board regulations, to Holt of California, Sacramento, CA for an amount not to exceed \$271,720 including a 15% contingency for the repower of the Compost Diamond Z DZH5000 Horizontal, and authorizing the Director of Finance, or her designee, to issue the Purchase Order.

Removed from Consent

25. Consider approving an Engineering Services Agreement with West Yost Associates, of Davis, CA for the Salida Community Plan Water Supply Assessment and Water System Evaluation in a total Agreement amount not to exceed \$102,410 and entering into a Memorandum of Understanding with Stanislaus County. (Funding Source: Water Fund)

- Resolution approving an Engineering Services Agreement with West Yost Associates, of Davis, CA for the Salida Community Plan Water Supply Assessment and Water System Evaluation in the amount of \$93,100, plus \$9,310 in additional services, if needed, for a total Agreement amount not to exceed \$102,410 and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution approving entering into a Memorandum of Understanding with Stanislaus County regarding reimbursement of costs related to the Salida

Community Plan Water Supply Assessment and Water System Evaluation and authorizing the City Manager, or his designee, to execute the Agreement.

- Resolution approving an amendment to the Fiscal Year 2025-26 Multi-Year Program Budget in the amount of \$112,410 from Water Fund Reserves to fund the Salida Community Plan Water Supply Assessment and Water System Evaluation and authorizing the City Manager, or his designee, to implement the provisions of the Resolution.

UTILITIES; Jim Alves, 209-571-5557, jalves@modestogov.com

ACTION: (Williams/Escutia-Braaton; 6/0) Resolution 2025-276 approving an Engineering Services Agreement with West Yost Associates, of Davis, CA for the Salida Community Plan Water Supply Assessment and Water System Evaluation in the amount of \$93,100, plus \$9,310 in additional services, if needed, for a total Agreement amount not to exceed \$102,410 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Williams/Escutia-Braaton; 6/0) Resolution 2025-277 approving entering into a Memorandum of Understanding with Stanislaus County regarding reimbursement of costs related to the Salida Community Plan Water Supply Assessment and Water System Evaluation and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Williams/Escutia-Braaton; 6/0) Resolution 2025-278 approving an amendment to the Fiscal Year 2025-26 Multi-Year Program Budget in the amount of \$112,410 from Water Fund Reserves to fund the Salida Community Plan Water Supply Assessment and Water System Evaluation and authorizing the City Manager, or his designee, to implement the provisions of the Resolution.

Consent

26. Consider approving the Final Initial Study/Mitigated Negative Declaration for the Stanislaus Elementary School 1,2,3-TCP Mitigation Project in accordance with the California Environmental Quality Act. (Funding Source: Water Fund)
- Resolution approving the Final Initial Study/Mitigated Negative Declaration for the Stanislaus Elementary School 1,2,3-TCP Mitigation Project in accordance with the California Environmental Quality Act.

UTILITIES; Jim Alves, 209-571-5557, jalves@modestogov.com

ACTION: (Alvarez/Bavaro; 6/0) Resolution 2025-279 approving the Final Initial Study/Mitigated Negative Declaration for the Stanislaus Elementary School 1,2,3-TCP Mitigation Project in accordance with the California Environmental Quality Act.

COUNCIL COMMENTS & REPORTS

Councilmember Ricci expressed that while he does not support actions violating civil rights, he urges thoughtful, deliberate decision-making rather than reactive measures regarding the mask Ordinance. He acknowledges the Ordinance was passed hastily in

2019 and supports using the existing Civilian Police Review Board to address concerns, believing it to be the best way to resolve the issue.

Councilmember Escutia-Braaton reported that this year's 4th of July saw a 31% decrease in Fire Department calls and a 43% reduction in vegetation fire responses, likely due to increased fines for illegal fireworks and stronger enforcement by Police and Firefighters. Despite fewer fireworks, more citations were issued thanks to improved equipment. She also highlighted upcoming school supply drives in her district to support students returning to school, encouraging community donations and participation.

Councilmember Williams expressed gratitude to the community for coming out to celebrate the 4th of July with about 30,000 attendees enjoying family and youth-focused events. He thanked the Stanislaus Latino Chamber of Commerce for supporting the Kiwanis parade and highlighted the successful Stanislaus County Fair, emphasizing the importance of community and togetherness amid challenging times.

Mayor Zwahlen highlighted attending the Modesto Police Department graduation ceremony on July 2nd with Councilmember Escutia-Braaton and a promotional event for local employees. She also noted the groundbreaking of the long-planned North County corridor project on July 8th, which will improve and widen roads for better safety. Additionally, she acknowledged the successful Stanislaus County Fair, organized in part by Councilmember Williams, as a great community event.

CITY MANAGER COMMENTS & REPORTS

None.

UNFINISHED BUSINESS

27. Consider approving the Plans and Specifications for the Rebid Virginia Corridor Phase 7 Project, accepting the Bid and Awarding a Construction Contract to Andrew M Jordan Inc. dba A & B Construction of Oakland, CA, in the amount not to exceed \$9,243,933 and consider approving an Agreement with TRC Engineering, Inc. of Rancho Cordova, CA, for Construction Management and Inspection Services for a total amount not to exceed \$878,087 (Funding Source: Various Funds)
 - Resolution approving the Plans and Specifications for the Rebid Virginia Corridor Phase 7 Project, accepting the Bid and Awarding a Construction Contract to Andrew M. Jordan Inc. dba A & B Construction of Oakland, CA, in the amount of \$8,559,197, authorizing \$684,736 for contingency (if needed), for a total payment amount not to exceed \$9,243,933, and authorizing the City Manager, or his designee, to execute the Agreement.
 - Resolution approving the Agreement with TRC Engineering, Inc, of Rancho Cordova, CA, for Construction Management and Inspection Services for the Virginia Corridor Phase 7 Project in the amount of \$798,261, plus \$79,826 in additional services, if needed, for a total amount not to exceed \$878,087 and authorizing the City Manager, or his designee, to execute the Agreement.

- Resolution amending the Fiscal Year 2025-26 Capital Improvement Program budget to fund Project #100813 (Virginia Corridor Ph 7) in an amount not to exceed \$1,136,525 in transfers, revenue, and to budget expenditures to fund the project, and authorizing the City Manager, or his designee, to implement the provisions of this resolution.
- Resolution amending the Fiscal Year 2025-26 Measure H Spending Plan to appropriate funding to Capital Improvement Program budget to fund Project #100813 (Virginia Corridor Ph 7) in an amount not to exceed \$276,532 in transfers, revenue, and to budget expenditures to fund the project, and authorizing the City Manager, or his designee, to implement the provisions of this resolution.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Williams/Ricci; 6/0) Resolution 2025-280 approving the Plans and Specifications for the Rebid Virginia Corridor Phase 7 Project, accepting the Bid and Awarding a Construction Contract to Andrew M. Jordan Inc. dba A & B Construction of Oakland, CA, in the amount of \$8,559,197, authorizing \$684,736 for contingency (if needed), for a total payment amount not to exceed \$9,243,933, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Williams/Ricci; 6/0) Resolution 2025-281 approving the Agreement with TRC Engineering, Inc, of Rancho Cordova, CA, for Construction Management and Inspection Services for the Virginia Corridor Phase 7 Project in the amount of \$798,261, plus \$79,826 in additional services, if needed, for a total amount not to exceed \$878,087 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Williams/Ricci; 6/0) Resolution 2025-282 amending the Fiscal Year 2025-26 Capital Improvement Program budget to fund Project #100813 (Virginia Corridor Ph 7) in an amount not to exceed \$1,136,525 in transfers, revenue, and to budget expenditures to fund the project, and authorizing the City Manager, or his designee, to implement the provisions of this resolution.

ACTION: (Williams/Ricci; 6/0) Resolution 2025-283 amending the Fiscal Year 2025-26 Measure H Spending Plan to appropriate funding to Capital Improvement Program budget to fund Project #100813 (Virginia Corridor Ph 7) in an amount not to exceed \$276,532 in transfers, revenue, and to budget expenditures to fund the project, and authorizing the City Manager, or his designee, to implement the provisions of this resolution.

HEARINGS

Published in the Modesto Bee on July 11, 2025.

28. Hearing to consider establishing City of Modesto Community Facilities District (CFD) No. 2025-2 (Village One Triangle), authorizing the levy of special taxes therein,

calling a special election; declaring the results of the July 22, 2025, special election, and approving the Subdivision Improvement Agreement (SIA) and Final Map of The Crossings Phase I Subdivision of roughly 29.94 acres consisting of 164 residential lots, two landscape lots, and one park lot located east of Claus Road and north of East Briggsmore Avenue APN # 014-026-017. (Funding Source: Developer Fees)

- Resolution declaring the formation of the City of Modesto Community Facilities District No. 2025-2 (Village One Triangle), conditionally authorizing the levy of special taxes therein, and conditionally establishing an annual appropriations limit of \$12,400,000.
- Resolution of the City Council of the City of Modesto, California, acting as the legislative body of the City of Modesto Community Facilities District No. 2025-2 (Village One Triangle), calling for a special election.
- Resolution declaring the results of July 22, 2025, special election and approving certain related actions pertaining to City of Modesto Community Facilities District No. 2025-2 (Village One Triangle).
- Motion introducing an ordinance authorizing the levy of special taxes within the City of Modesto held within City of Modesto Community Facilities District No. 2025-2 (Village One Triangle).
- Resolution approving the Final Map and Subdivision Improvement Agreement for The Crossings Phase I subdivision, and authorizing the City Manager, or designee, to execute the Subdivision Improvement Agreement with the Owner, D.R. Horton Bay Inc., a Delaware Corporation, and authorizing the City Clerk to certify the Final Map and record with the Stanislaus County Recorder's Office.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Escutia-Braaton/Williams; 6/0) Resolution 2025-284 declaring the formation of the City of Modesto Community Facilities District No. 2025-2 (Village One Triangle), conditionally authorizing the levy of special taxes therein, and conditionally establishing an annual appropriations limit of \$12,400,000.

ACTION: (Williams/Ricci; 6/0) Resolution 2025-285 of the City Council of the City of Modesto, California, acting as the legislative body of the City of Modesto Community Facilities District No. 2025-2 (Village One Triangle), calling for a special election.

ACTION: (Alvarez/Williams; 6/0) Resolution 2025-286 declaring the results of July 22, 2025, special election and approving certain related actions pertaining to City of Modesto Community Facilities District No. 2025-2 (Village One Triangle).

ACTION: (Williams/Escutia-Braaton; 6/0) Motion introducing an Ordinance 3800-C.S. authorizing the levy of special taxes within the City of Modesto held within City of Modesto Community Facilities District No. 2025-2 (Village One Triangle).

ACTION: (Williams/Alvarez; 6/0) Resolution 2025-287 approving the Final Map and Subdivision Improvement Agreement for The Crossings Phase I subdivision, and authorizing the City Manager, or designee, to execute the Subdivision Improvement Agreement with the Owner, D.R. Horton Bay Inc., a Delaware Corporation, and authorizing the City Clerk to certify the Final Map and record with the Stanislaus County Recorder's Office.

Published in the Modesto Bee on July 11, 2025.

29. Hearing to consider approving the issuance of Bonds by the California Statewide Communities Development Authority (CSCDA) for the benefit of Kaiser Permanente (the "Borrower") 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 approving the issuance of California Statewide Communities Development Authority Kaiser Permanente Revenue Bonds in one or more Series from time to time pursuant to a plan of finance in an aggregate principal amount not to exceed \$880,000,000 for the purpose of financing or refinancing the acquisition, construction, improvement, equipping, renovation, rehabilitation, remodeling and other capital projects of certain health facilities and certain other matters relating thereto.

*FINANCE DEPARTMENT; DeAnna Christensen, 209-577-5387,
dachristensen@modestogov.com*

ACTION: (Bavaro/Williams; 6/0) Resolution 2025-288 approving the issuance of California Statewide Communities Development Authority Kaiser Permanente Revenue Bonds in one or more Series from time to time pursuant to a plan of finance in an aggregate principal amount not to exceed \$880,000,000 for the purpose of financing or refinancing the acquisition, construction, improvement, equipping, renovation, rehabilitation, remodeling and other capital projects of certain health facilities and certain other matters relating thereto.

Published in the Modesto Bee on July 11, 2025.

30. Hearing to consider an Ordinance amending Title 10 of the Modesto Municipal Code to add Chapter 3, Article 8, "Smoke Shops," and amending Title 4 of the Modesto Municipal Code to add Chapter 24, Smoke Shops," establishing regulations and requirements for Smoke Shops, including permitting and enforcement, within the City and a resolution to adopt the application fee, annual permit fee, and re-inspection fee for the Smoke Shop Permit Program. (Funding Source: General Fund)

- Motion introducing and waiving the first reading of an ordinance amending Title 10 of the Modesto Municipal Code to add Chapter 3, Article 8, "Smoke Shops," and amending Title 4 of the Modesto Municipal Code to add Chapter 24, Smoke Shops," establishing regulations and requirements for Smoke Shops, including permitting and enforcement, within the City.

- Resolution adopting the application fee, annual permit fee, and re-inspection fee for the Smoke Shop Permit Program.

CITY ATTORNEY; Jose Sanchez, 209-577-5284, jsanchez@modestogov.com

ACTION: (Ricci/Bavaro; 6/0) Motion introducing and waiving the first reading of an **Ordinance 3801-C.S.** amending Title 10 of the Modesto Municipal Code to add Chapter 3, Article 8, “Smoke Shops,” and amending Title 4 of the Modesto Municipal Code to add Chapter 24, Smoke Shops,” establishing regulations and requirements for Smoke Shops, including permitting and enforcement, within the City.

ACTION: (Bavaro/Ricci; 6/0) Resolution 2025-289 adopting the application fee, annual permit fee, and re-inspection fee for the Smoke Shop Permit Program.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 10:39 p.m.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
SPECIAL AUDIT COMMITTEE
COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Wednesday, July 30, 2025 at 4:00 PM

Roll Call: Present: Sue Zwahlen, Chair, David Wright, Vice-Chair,
Camille Garcia, Public Member, Thomas Orosco, Public Member

Absent: Chris Ricci, Member

PUBLIC COMMENTS IN PERSON

None.

COMMENTS BY E-MAIL

None.

NEW BUSINESS

1. Consider the Internal Audit Status Report dated July 9, 2025. (Funding Source: Not Applicable)
 - Motion to receive and file the Internal Audit Status Report dated July 9, 2025.
CITY AUDITOR; Colleen Rozillis, 206-302-6795, crozillis@modestogov.com

ACTION: (Wright/Garcia; 4/0) Motion to receive and file the Internal Audit Status Report dated July 9, 2025.

2. Consider the Audit Finding Validation Report dated July 3, 2025. (Funding Source: Not Applicable)
 - Motion to receive and file the Audit Findings Validation Report dated July 3, 2025.
CITY AUDITOR; Colleen Rozillis, 206-302-6795, crozillis@modestogov.com

ACTION: (Garcia/Wright; 4/0) Motion to receive and file the Audit Findings Validation Report dated July 3, 2025.

3. Consider the Accounts Receivable Internal Controls Review Report and forwarding to Council for acceptance. (Funding Source: Not Applicable)
 - Motion to receive the Accounts Receivable Internal Controls Review Report and forwarding to Council for acceptance.
CITY AUDITOR; Colleen Rozillis, 206-302-6795, crozillis@modestogov.com

ACTION: (Garcia/Wright; 4/0) Motion to receive the Accounts Receivable Internal Controls Review Report and forwarding to Council for acceptance.

4. Consider the Capital Program Best Practices Report and forwarding to Council for acceptance. (Funding Source: Not Applicable)
 - Motion to receive the Capital Improvement Program Best Practices Report and forwarding to Council for acceptance.

CITY AUDITOR; Colleen Rozillis, 206-302-6795, crozillis@modestogov.com

ACTION: (Wright/Garcia; 4/0) Motion to receive the Capital Improvement Program Best Practices Report and forwarding to Council for acceptance.

5. Consider the Permitting Efficiency Study Update Report and forwarding to Council for acceptance. (Funding Source: Not Applicable)
 - Motion to receive the Permitting Efficiency Study Update Report and forwarding to Council for acceptance.

CITY AUDITOR; Colleen Rozillis, 206-302-6795, crozillis@modestogov.com

ACTION: (Wright/Orosco; 4/0) Motion to receive the Permitting Efficiency Study Update Report and forwarding to Council for acceptance.

6. Consider the Auditors' Reports and Schedule of Measure L Program Revenues and Expenditures for Fiscal Year Ended June 30, 2024, and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the review of Fiscal Year 2023-2024 Auditor's Report on Compliance of the Measure L Local Roads First Transportation Funding Measure and forwarding to Council for approval.

FINANCE; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Wright/Garcia; 4/0) Motion recommending the review of Fiscal Year 2023-2024 Auditor's Report on Compliance of the Measure L Local Roads First Transportation Funding Measure and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:59 p.m.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
ECONOMIC DEVELOPMENT COMMITTEE / COUNCIL
2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, August 04, 2025 at 4:00 PM

Roll Call: Present: Committee Member Bavaro, Vice-Chair Zwahlen
Absent: Chair Alvarez
Also Present: Alternate Committee Member Wright

PUBLIC COMMENTS IN PERSON

None.

COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-4 (Wright/Bavaro; 3/0)

CONSENT

Consent

1. Consider the First Amendment for the Engineering Design Agreement with Westwood Professional Services, Inc. increasing the Agreement amount by \$191,017 and forwarding to Council for approval. (Funding Source: California Department of Transportation Clean California Grant)
 - Motion recommending the First Amendment with Westwood Professional Services Inc., Plano, TX, for Engineering Design Services increasing the Agreement amount by \$191,017, to a new total amount not to exceed \$385,332, and forwarding to Council for approval.
CED; Eric Bonander, 209-577-5255, ebonander@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the First Amendment with Westwood Professional Services Inc., Plano, TX, for Engineering Design Services increasing the Agreement amount by \$191,017, to a new total amount not to exceed \$385,332, and forwarding to Council for approval.

Consent

2. Consider a Restated Memorandum of Agreement for the Preliminary Engineering including Final Design Phase of the 7th Street Bridge Project with Stanislaus County

and forwarding to Council for approval (Funding Source: Streets Capital Facility Fees and Water Fund)

- Motion recommending a Restated Memorandum of Agreement for the Preliminary Engineering including Final Design Phase of the 7th Street Bridge Project with Stanislaus County and forwarding to Council for approval.

ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending a Restated Memorandum of Agreement for the Preliminary Engineering including Final Design Phase of the 7th Street Bridge Project with Stanislaus County and forwarding to Council for approval.

Consent

3. Consider the Plans and Specifications for the Sisk Road Signal Coordination, CML 5059(264) Project, accepting the Bid and Awarding a Construction Contract to Bear Electrical Solutions, LLC of Alviso, CA in the amount of \$731,713, authorizing \$73,171 for contingency, for a total payment amount not to exceed \$804,884 and forwarding to Council for approval. (Funding Source: Congestion Mitigation and Air Quality and Measure L Funds)

- Motion recommending the Plans and Specifications for the Sisk Road Signal Coordination, CML 5059(264) Project, accepting the Bid and Awarding a Construction Contract to Bear Electrical Solutions, LLC of Alviso, CA in the amount of \$731,713, authorizing \$73,171 for contingency, for a total payment amount not to exceed \$804,884 and forwarding to Council for approval.

PUBLIC WORKS; Max Navarro, 209-571-5116, manavarro@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Plans and Specifications for the Sisk Road Signal Coordination, CML 5059(264) Project, accepting the Bid and Awarding a Construction Contract to Bear Electrical Solutions, LLC of Alviso, CA in the amount of \$731,713, authorizing \$73,171 for contingency, for a total payment amount not to exceed \$804,884 and forwarding to Council for approval.

Consent

4. Consider a Prequalified Local Consultant List for Civil Engineering Services for a period of five years and forwarding to Council for approval. (Funding Source: Various Capital/NonCapital Projects)

- Motion recommending a Prequalified Local Consultant List for Civil Engineering Services for a period of five years and forwarding to Council for approval.

UTILITIES; Edgar Vargas, 209-577-5424, evargas@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending a Prequalified Local Consultant List for Civil Engineering Services for a period of five years and forwarding to Council for approval.

NEW BUSINESS

5. Consider an Agreement for Engineering Design Services for the Tivoli dual use basin and park with Westwood Professional Services, Inc., Plano, TX, for a total amount not to exceed \$446,674. (Funding Source: General Fund Loan and Community Facilities District Bonds)
- Motion recommending the Award of Proposal and Agreement for Engineering Design Services for the Tivoli dual use basin and park to Westwood Professional Services, Inc., Plano, TX, for a total amount not to exceed \$446,674, and forwarding to Council for approval.
 - Motion recommending the issuance of an interfund loan in an amount not to exceed \$446,674 from the Water Fund 4100 to the Tivoli CFD Fund 3255 for the purchase of Engineering Design Services for the Tivoli dual use basin and forwarding to Council for approval.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Bavaro/Wright; 3/0) Motion recommending the Award of Proposal and Agreement for Engineering Design Services for the Tivoli dual use basin and park to Westwood Professional Services, Inc., Plano, TX, for a total amount not to exceed \$446,674, and forwarding to Council for approval.

ACTION: (Bavaro/Wright; 3/0) Motion recommending the issuance of an interfund loan in an amount not to exceed \$446,674 from the Water Fund 4100 to the Tivoli CFD Fund 3255 for the purchase of Engineering Design Services for the Tivoli dual use basin and forwarding to Council for approval.

6. Consider a 2025 Guidance Manual for Development Stormwater Quality Control Manual and forwarding to Council for approval. (Funding Source: Stormwater Fund)
- Motion recommending a 2025 Guidance Manual for Development Stormwater Quality Control Manual and forwarding to Council for approval.

ENGINEERING SERVICES; Jaspreet Mangat, 209-577-5253, jmangat@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending a 2025 Guidance Manual for Development Stormwater Quality Control Manual and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:19 P.M.

Attest: _____
Reyna Mendoza, Deputy City Clerk

*Councilmember Ricci
via teleconference
The Sagamore Resort
110 Sagamore Rd.
Bolton Landing, NY. 12814
Inquire at the front desk

MINUTES

City of Modesto
SPECIAL CITY COUNCIL MEETING
Stanislaus River Room, Modesto Centre Plaza
1001 K Street
Modesto, California
Tuesday, August 5, 2025, at 8:30 AM

Roll Call – Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, *Ricci,
Wright, Mayor Zwahlen

Absent: Councilmember Williams due to Conflict of Interest, Recusal

PUBLIC COMMENT IN PERSON

None.

UNFINISHED BUSINESS

Councilmember Williams Recused

1. Update regarding the expansion of the United Soccer League (USL) into the City of Modesto and potential locations for a soccer stadium and sports district. (Funding Source: Not Applicable)

Staff Recommendation:

- Receive update regarding the expansion of the United Soccer League (USL) into the City of Modesto and to discuss and provide staff with direction regarding potential locations for a soccer stadium and sports district.

CITY MANAGER; Joseph Lopez, 209-577-5223, joelopez@modestogov.com

This item was presented.

Recessed at 10:06 a.m.

Reconvened at 10:21 a.m.

Mayor Zwahlen invited public comment on this matter. Several members of the public commented on this item.

ACTION: (Escutia-Braaton/Alvarez; 6/0; Williams Recused) Motion directing staff to move forward with option 3/option C to support the future site for the stadium.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 11:52 a.m.

Attest: _____
Diane Nayares-Perez, City Clerk

**MINUTES
City of Modesto
SAFETY AND COMMUNITIES COMMITTEE / COUNCIL
WORKSHOP**

**2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, August 11, 2025 at 4:00 PM**

Roll Call: Present: Committee Member Escutia-Braaton, Vice-Chair Ricci,
Chair Williams (arrived @ 4:04 p.m.)

PUBLIC COMMENT PERIOD

None.

SUBMITTING COMMENTS BY E-MAIL

None.

**CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-4 (Escutia-Braaton/Ricci; 2/0; Absent: Williams)**

CONSENT

Consent

1. Consider the Third Amendment with West Coast Door and Gate, Ceres, CA for On-call Commercial Roll-up Door Maintenance and Repair Services increasing the Agreement amount by \$160,000 and extending the term of the Agreement to June 2, 2026; and forwarding to Council for approval. (Funding Source: General Fund)
 - Motion recommending the Third Amendment with West Coast Door and Gate, Ceres, CA for the On-call Commercial Roll-up Door Maintenance and Repair Services increasing the Agreement amount by \$160,000 to a new total amount of \$446,000 and extending the term of the Agreement, to June 2, 2026; and forwarding to Council for approval.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Escutia-Braaton/Ricci; 2/0) Motion recommending the Third Amendment with West Coast Door and Gate, Ceres, CA for the On-call Commercial Roll-up Door Maintenance and Repair Services increasing the Agreement amount by \$160,000 to a new total amount of \$446,000 and extending the term of the Agreement, to June 2, 2026; and forwarding to Council for approval.

Consent

2. Consider the Emergency Purchases, for an amount not to exceed \$155,990, to cover all costs incurred by the urgent and significant water and mold damage repairs to Fire Station 11 and forwarding to Council for approval. (Funding Source: General Fund)

- Motion recommending the Emergency Purchases for an amount not to exceed \$155,990, to cover all costs incurred by the urgent and significant water and mold damage repairs to Fire Station 11 and forwarding to Council for approval.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Escutia-Braaton/Ricci; 2/0) Motion recommending the Emergency Purchases for an amount not to exceed \$155,990, to cover all costs incurred by the urgent and significant water and mold damage repairs to Fire Station 11 and forwarding to Council for approval.

Consent

3. Consider Secondary Agreements for Pre-Employment Psychological Services with Law Enforcement Psychological Services, Inc., Los Gatos, CA and CORE Psychological Corporation, Gold River, CA, for a total combined amount not to exceed \$40,000 over three years and forwarding to Council for approval. (Funding Source: General Fund)

- Motion recommending the Secondary Agreements with Law Enforcement Psychological Services, Inc., Lost Gatos, CA and CORE Psychological Corporation, Gold River, CA, for Pre-Employment Psychological Services for a total combined amount not to exceed \$40,000 over three years; and forwarding to Council for approval.

POLICE DEPARTMENT; Jessica Nicholson, 209-572-9500, nicholsonje@modestopd.com

ACTION: (Escutia-Braaton/Ricci; 2/0) Motion recommending the Secondary Agreements with Law Enforcement Psychological Services, Inc., Lost Gatos, CA and CORE Psychological Corporation, Gold River, CA, for Pre-Employment Psychological Services for a total combined amount not to exceed \$40,000 over three years; and forwarding to Council for approval.

Consent

4. Consider the Agreement for On-Call Electrical Services to Advanced Lighting Services, Inc., Dublin, CA for a total amount not to exceed \$1,334,456 over five years and forwarding to Council for approval. (Funding Source: Building Maintenance Fund)

- Motion recommending the Award of Bid and Agreement for On-Call Electrical Services to Advanced Lighting Services, Inc., Dublin, CA for a two-year Agreement with three one-year extension options, for an estimated annual amount of \$266,982 and a total amount not to exceed \$1,334,456 over five years and forwarding to Council for approval.

PUBLIC WORKS; Gabe daSilva, 209-652-2579, gdasilva@modestogov.com

ACTION: (Escutia-Braaton/Ricci; 2/0) Motion recommending the Award of Bid and Agreement for On-Call Electrical Services to Advanced Lighting Services, Inc., Dublin, CA for a two-year Agreement with three one-year extension options, for an estimated annual amount of \$266,982 and a total amount not to exceed \$1,334,456 over five years and forwarding to Council for approval.

NEW BUSINESS

5. Consider a report on upcoming Parks Planning and Development Division Capital Improvement Program Projects planned for bidding and construction. (Funding Source: Various CIPs)
- Motion accepting a report on upcoming Parks Planning and Development Division Capital Improvement Program Projects planned for bidding and construction.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Ricci/Escutia-Braaton; 3/0) Motion accepting a report on upcoming Parks Planning and Development Division Capital Improvement Program Projects planned for bidding and construction, with the exception of the Parks Playground Replacement Projects to come back to committee with more recommendations of playground replacements to include more Shade Plan options and solutions.

ADJOURNMENT

This meeting adjourned at 4:34 p.m.

Attest: _____
Dana Sanchez, Assistant City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, August 12, 2025 at 5:30 PM

Special City Council – Closed Session Meeting 4:15 p.m.

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Mayor Zwahlen
Absent: Wright

Regular City Council Meeting 5:30 p.m.

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Mayor Zwahlen
Absent: Wright

Pledge of Allegiance to the Flag

Invocation: John Torres, City Ministry Network

City Clerk’s Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: No reportable action.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring August 12, 2025 as International Youth Day. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com
ACTION: Mayor Zwahlen presented proclamation declaring August 12, 2025 as International Youth Day.

2. Youth Commission Presentation (Funding Source: Not Applicable)
PRN; Valerie Garcia, 209-571-5576, vagarcia@modestogov.com
ACTION: Youth Commission presented update on activities to Council.

MISCELLANEOUS

3. Consider approving the appointments of Lupe Hodges, Abigail Powers, and Jennifer Aoyama to the Modesto Culture Commission for four-year terms with a term expiration of December 31, 2028. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointments of Lupe Hodges, Abigail Powers, and Jennifer Aoyama to the Modesto Culture Commission for four-year terms with a term expiration of December 31, 2028.

PRN; Diane Sheatsley, 209-577-5418, dsheatsley@modestogov.com

ACTION: (Williams/Alvarez; 6/0) Resolution 2025-290 approving the appointments of Lupe Hodges, Abigail Powers, and Jennifer Aoyama to the Modesto Culture Commission for four-year terms with a term expiration of December 31, 2028.

4. Consider approving the appointments of Bob Quintella as a Member-At-Large for a term expiration of December 31, 2028, and Martin Montez as a Youth Member-At-Large for a term expiration of December 31, 2025, on the City of Modesto Golf Courses Advisory Committee. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointments of Bob Quintella as a Member-At-Large for a term expiration of December 31, 2028, and Martin Montez as a Youth Member-At-Large for a term expiration of December 31, 2025, on the City of Modesto Golf Courses Advisory Committee.

PRN; Jessica Franco, 209-577-5278, jefranco@modestogov.com

ACTION: (Bavaro/Ricci; 6/0) Resolution 2025-291 approving the appointments of Bob Quintella as a Member-At-Large for a term expiration of December 31, 2028, and Martin Montez as a Youth Member-At-Large for a term expiration of December 31, 2025, on the City of Modesto Golf Courses Advisory Committee.

PUBLIC COMMENT PERIOD

- Dakotah Loudon urged the City Council to address the sale of Kratom and its concentrated form, citing addiction risks, personal experience with harmful effects, and lack of medical awareness. He called for stricter regulations, higher purchase age limits, location restrictions near schools and parks, and increased public education.
- Derek Castle congratulated the Council on the upcoming opening of 12 bridge housing cabins for single women, funded by Measure H. He highlighted recent progress in Modesto's bridge housing efforts, including family housing at the Church of the Brethren, Dignity Village's 42 cabins, and the new Grace Gardens site. While noting successes in moving families into permanent housing, he stressed the high unmet demand, with around 400 people still unsheltered, and urged continued expansion of bridge housing.
- Danielle Morgart, a representative from Assemblyman Juan Alanis's office announced that the Governor signed AB 17, which requires counties to provide public access to precinct boundary information. She noted the legislature is in summer recess and

expressed hope that three additional bills will be signed, inviting the Council to reach out with questions.

- Lucas raised several neighborhood concerns, including questions about the reduced turf project, support for improved fireworks enforcement using advanced scanning technology, and reconsideration of the residential forestry program due to infrastructure damage. He also urged the City to adopt tighter water restrictions in light of a potential future drought.
- Steve criticized past interactions with Council Members and law enforcement leadership, referencing a personal dispute and alleging inaction on misconduct. He objected to a recent Police Chief presentation, describing it as fearmongering and inappropriate, and drew comparisons between Modesto and other cities regarding lawsuits against Police Departments and crime trends. He accused the City of restricting public input after disruptions and urged the Council to meet the demands of the BIPOC coalition, framing them as matters of public safety rather than police power.
- Julissa urged the Council to repeal the City's face-covering Ordinance, arguing that charges against protesters were dropped due to community pressure and that the law lacks legal standing. They accused the City of avoiding accountability, targeting youth and people of color, and called for the return of Zoom comments for accessibility.
- Nora Garcia supported repealing the City's mask ban at protests and expanding the Community Police Review Board's authority to independently investigate misconduct. She criticized the Council for indifference toward public concerns, praised community members for persistent advocacy, and emphasized the importance of public pressure in defending democratic rights.
- Emerson Drake criticized the lack of opportunities for Council Members to meet and discuss issues freely, citing Brown Act restrictions and the discontinuation of certain meetings since COVID-19. He described delayed responses to public records requests and alleged that the City Manager and Mayor have prevented Council Members from exercising their right to meet, suggesting this has hindered collaboration and transparency.
- Anthony criticized the City Council for inaction on the mask Ordinance, arguing it continues to restrict First Amendment rights and allows police to target protesters. He cited United Nations guidance supporting mask use in assemblies, called for the Ordinance's repeal, and urged an independent investigation of police conduct.
- Nic drew parallels between Modesto's mask Ordinance and broader governmental restrictions, arguing the law has been used to suppress lawful protest. They warned that keeping the Ordinance could empower local and federal law enforcement to further limit civil liberties and urged the Council to repeal it.
- Manuel Vasquez cited an ACLU letter warning that the City's mask Ordinance is unconstitutionally vague and overbroad, criminalizing ordinary items and undermining

free speech, privacy, and health rights. He highlighted racially biased enforcement during a recent protest and criticized the Police Chief's "arrest first, courts later" approach, urging the Council to repeal the Ordinance and uphold constitutional protections.

- Linda urged the Council to repeal or amend the mask Ordinance, emphasizing that the Council has the authority to act independently of the Police Review Board. She criticized the Council's inaction, selective enforcement against marginalized groups, and prioritization of authority figures over community input, warning that continued inaction risks civil rights violations and legal consequences.
- A speaker spoke about exercising the right to protest for personal and community safety. He criticized the mask Ordinance for forcing individuals to conceal their identities, highlighted the harsh treatment during arrests, and urged the Council to repeal the law, emphasizing that legality does not always align with morality.
- A speaker urged the Council to place the mask ordinance on the agenda for repeal, arguing it violates free speech and exposes protesters to harassment and excessive force. They warned that keeping the law could lead to costly legal consequences.
- A speaker expressed concerns about the lack of action on the mask Ordinance, highlighted issues regarding the arrests of peaceful protesters and vague enforcement measures. The commenter criticized what he believes is passivity of a Council Member.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 5-6, 8-12, 14 (Williams/Ricci; 6/0)

CONSENT

Consent

5. Consider approving the minutes for the July 22, 2025 Council Meeting. (Funding Source: Not Applicable)
- Motion approving the minutes for the July 22, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com
- ACTION: (Williams/Ricci; 6/0)** Motion approving the minutes for the July 22, 2025 Council Meeting.

Consent

6. Consider approving Final Adoption of Ordinance 3800-C.S. authorizing the levy of Special Taxes within the City of Modesto held within City of Modesto Community Facilities District No. 2025-2 (Village One Triangle). (Funding Source: Not Applicable)
- Motion approving Final Adoption of Ordinance 3800-C.S. authorizing the levy of Special Taxes within the City of Modesto held within City of Modesto Community Facilities District No. 2025-2 (Village One Triangle).
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Williams/Ricci; 6/0) Motion approving Final Adoption of **Ordinance 3800-C.S.** authorizing the levy of Special Taxes within the City of Modesto held within City of Modesto Community Facilities District No. 2025-2 (Village One Triangle).

Removed from Consent

7. Consider approving Final Adoption of Ordinance 3801-C.S. of the City Council of the City of Modesto amending Title 10 of the Modesto Municipal Code to add Chapter 3, Article 8, "Smoke Shops," amending Title 4 of the Modesto Municipal Code to add Chapter 24, "Smoke Shops," establishing Regulations and Requirements for Smoke Shops, Including Permitting and Enforcement, within the City. (Funding Source: Not Applicable)

- Motion approving Final Adoption of Ordinance 3801-C.S. of the City Council of the City of Modesto amending Title 10 of the Modesto Municipal Code to add Chapter 3, Article 8, "Smoke Shops," amending Title 4 of the Modesto Municipal Code to add Chapter 24, "Smoke Shops," establishing Regulations and Requirements for Smoke Shops, Including Permitting and Enforcement, within the City.

CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Bavaro/Ricci; 6/0) Motion approving Final Adoption of **Ordinance 3801-C.S.** of the City Council of the City of Modesto amending Title 10 of the Modesto Municipal Code to add Chapter 3, Article 8, "Smoke Shops," amending Title 4 of the Modesto Municipal Code to add Chapter 24, "Smoke Shops," establishing Regulations and Requirements for Smoke Shops, Including Permitting and Enforcement, within the City.

Consent

8. Consider accepting the Monthly Investment Report for May 2025. (Funding Source: Various Funds)

- Motion accepting the Monthly Investment Report for May 2025.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Williams/Ricci; 6/0) Motion accepting the Monthly Investment Report for May 2025.

Consent

9. Consider approving the purchase for two Fleet Replacements for Fleet Vehicles which includes one Rapid View IBAK F550 Truck with Camera and one Vac-Con Xcavator Truck in a total amount not to exceed \$1,245,632. (Funding Source: Fleet Replacement Fund)

- Resolution approving the Competitive Bidding Process from Sourcewell to Rapid View LLC, Rochester, IN, under the authorized dealer, Municipal Maintenance Equipment, Sacramento, CA for the purchase of one Rapid View IBAK F550 Truck with Camera for an amount not to exceed \$367,746; and

authorizing the Purchasing Manager, or her designee, to issue the Purchase Order; and authorizing the Purchasing Manager or her designee to execute any Change Orders not to exceed 15% of the total purchase price.

- Resolution approving the Competitive Bidding Process from Sourcewell to Van-Con, Inc., Green Cove Springs, FL under the authorized dealer, Municipal Maintenance Equipment, Sacramento, CA for the purchase of one Vac-Con Xcavator Truck for an amount not to exceed \$715,412; and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order; and authorizing the Purchasing Manager or her designee to execute any Change Orders not to exceed 15% of the total purchase price.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Williams/Ricci; 6/0) Resolution 2025-292 approving the Competitive Bidding Process from Sourcewell to Rapid View LLC, Rochester, IN, under the authorized dealer, Municipal Maintenance Equipment, Sacramento, CA for the purchase of one Rapid View IBAK F550 Truck with Camera for an amount not to exceed \$367,746; and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order; and authorizing the Purchasing Manager or her designee to execute any Change Orders not to exceed 15% of the total purchase price.

ACTION: (Williams/Ricci; 6/0) Resolution 2025-293 approving the Competitive Bidding Process from Sourcewell to Van-Con, Inc., Green Cove Springs, FL under the authorized dealer, Municipal Maintenance Equipment, Sacramento, CA for the purchase of one Vac-Con Xcavator Truck for an amount not to exceed \$715,412; and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order; and authorizing the Purchasing Manager or her designee to execute any Change Orders not to exceed 15% of the total purchase price.

Consent

10. Consider approving the First Amendment with SpryPoint Services, Inc., Charlottetown, P.E., for Utility Billing, Receivables and Cashiering Software to include SpryWallet as the payment gateway with an increase in the amount of \$1,336,902 over two years and a one-time online Customer Enrollment Incentive Program in the amount of \$5.
(Funding Source: Various Funds)

- Resolution approving the First Amendment to the the Agreement with SpryPoint Services, Inc., Charlottetown, P.E., for Utility Billing, Receivables and Cashiering Software, to include SpryWallet as the payment gateway and increasing the amount by \$1,336,902, to a new total amount not to exceed \$3,728,862 through the next two years; and authorizing the City Manager, or his designee to execute the Amendment.
- Resolution approving a one-time online Customer Enrollment Incentive Program in the amount of \$5.

10. Consider approving the First Amendment with SpryPoint Services, Inc., Charlottetown, P.E., for Utility Billing, Receivables and Cashiering Software to include SpryWallet as the payment gateway with an increase in the amount of \$1,336,902 over two years and

a one-time online Customer Enrollment Incentive Program in the amount of \$5.
(Funding Source: Various Funds)

- Resolution approving the First Amendment to the the Agreement with SpryPoint Services, Inc., Charlottetown, P.E., for Utility Billing, Receivables and Cashiering Software, to include SpryWallet as the payment gateway and increasing the amount by \$1,336,902, to a new total amount not to exceed \$3,728,862 through the next two years; and authorizing the City Manager, or his designee to execute the Amendment.
- Resolution approving a one-time online Customer Enrollment Incentive Program in the amount of \$5.

FINANCE DEPARTMENT; Jeni Martin, 209-571-5892, jmartin@modestogov.com

ACTION: (Williams/Ricci; 6/0) Resolution 2025-294 approving the First Amendment to the the Agreement with SpryPoint Services, Inc., Charlottetown, P.E., for Utility Billing, Receivables and Cashiering Software, to include SpryWallet as the payment gateway and increasing the amount by \$1,336,902, to a new total amount not to exceed \$3,728,862 through the next two years; and authorizing the City Manager, or his designee to execute the Amendment.

ACTION: (Williams/Ricci; 6/0) Resolution 2025-295 approving a one-time online Customer Enrollment Incentive Program in the amount of \$5.

Consent

11. Consider approving Co-Sponsorships for designated City Partners' Events and Programs with direct contributions of \$61,650 and in-kind support with an estimated value of \$251,022 for Fiscal Year 2025-2026. (Funding Source: General Fund)
- Resolution approving Co-Sponsorships for designated City Partners' Events and Programs with direct contributions of \$61,650 and in-kind support with an estimated value of \$251,022 for Fiscal Year 2025-2026.

PRN; Jeremy Rogers, 209-577-5347, jrogers@modestogov.com

ACTION: (Williams/Ricci; 6/0) Resolution 2025-296 approving Co-Sponsorships for designated City Partners' Events and Programs with direct contributions of \$61,650 and in-kind support with an estimated value of \$251,022 for Fiscal Year 2025-2026.

Consent

12. Consider approving Community/Special Event and Program Grants for in-kind support valued at \$19,815 and grant funding of \$18,157 for events and programs planned in the first half of Fiscal Year 2025-2026. (Funding Source: General Fund)
- Resolution approving Community/Special Event and Program Grants for in-kind support valued at \$19,815 and grant funding of \$18,157 for events and programs planned in the first half of Fiscal Year 2025-2026.

PRN; Jeremy Rogers, 209-577-5347, jrogers@modestogov.com

ACTION: (Williams/Ricci; 6/0) Resolution 2025-297 approving Community/Special Event and Program Grants for in-kind support valued at \$19,815 and grant funding of \$18,157 for events and programs planned in the first half of Fiscal Year 2025-2026.

Removed from Consent

13. Consider approving the Agreements for Fire Extinguisher Inspection, Testing and Maintenance Services to Firecode Safety Equipment, Inc., Sacramento, CA and National Fire Systems, Inc. Sacramento, CA for a total combined amount not to exceed \$160,269 over five years. (Funding Source: Building Maintenance Fund)

- Resolution approving the Award of Bid and Agreements for Fire Extinguisher Inspection, Testing and Maintenance Services to Firecode Safety Equipment, Inc. Sacramento, CA and National Fire Systems, Inc. Sacramento, CA for a two-year Agreement with three one-year extension options, with an estimated annual amount of \$20,000 for Firecode Safety Equipment Inc, and annual amount for \$10,000 for National Fire Systems, Inc for a total estimated annual amount of \$30,000, and a combined total amount not to exceed \$160,269 over five years between the two agreements, and authorizing the City Manager, or his designee, to execute the Agreements.

PUBLIC WORKS; Gabe DaSilva, 209-342-2281, gdasilva@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 6/0) Resolution 2025-298 approving the Award of Bid and Agreements for Fire Extinguisher Inspection, Testing and Maintenance Services to Firecode Safety Equipment, Inc. Sacramento, CA and National Fire Systems, Inc. Sacramento, CA for a two-year Agreement with three one-year extension options, with an estimated annual amount of \$20,000 for Firecode Safety Equipment Inc, and annual amount for \$10,000 for National Fire Systems, Inc for a total estimated annual amount of \$30,000, and a combined total amount not to exceed \$160,269 over five years between the two agreements, and authorizing the City Manager, or his designee, to execute the Agreements.

Consent

14. Consider approving the Amended and Restated Agreement with Gallo Center for the Arts, Modesto, CA for Lot 25 employee discounted parking increasing the Agreement amount by 2.4% per parking permit per month, and extending the term of the Agreement from July 1, 2025, to June 30, 2026, with the option for one additional one-year term of July 1, 2026, through June 30, 2027. (Funding Source: Parking Services Enterprise Fund)

- Resolution approving the Amended and Restated Agreement with Gallo Center for the Arts, Modesto, CA for Lot 25 employee discounted parking, by increasing the Agreement amount by 2.4% per parking permit per month, and extending the term of the Agreement from July 1, 2025, to June 30, 2026, with the option for one additional one-year term of July 1, 2026 through June 30, 2027, and authorizing the City Manager or his designee, to execute the Agreement .

PUBLIC WORKS; Gabe da Silva, 209-342-2281, gdasilva@modestogov.com

ACTION: (Williams/Ricci; 6/0) Resolution 2025-299 approving the Amended and Restated Agreement with Gallo Center for the Arts, Modesto, CA for Lot 25 employee discounted parking, by increasing the Agreement amount by 2.4% per parking permit per month, and extending the term of the Agreement from July 1, 2025, to June 30, 2026, with the option for one additional one-year term of July 1, 2026 through June 30, 2027, and authorizing the City Manager or his designee, to execute the Agreement .

Recessed at 7:22 p.m.

Resumed at 7:30 p.m.

COUNCIL COMMENTS & REPORTS

Vice-Mayor Bavaro highlighted recent community engagement and City projects, including attending National Night Out events, planning a professional soccer stadium and convention center downtown, traffic improvements on Scenic Drive, and future housing, commercial, and recreational developments. He credited these initiatives to the Council's leadership and decision-making.

Councilmember Williams shared community updates, beginning with a moment of silence for a long-time local businessman and Kiwanis member who passed away at 101. He highlighted attending 12 National Night Out events in his district, a police graduation, the grand opening of Kaiser Permanente's new athletic center, and the Madstock music event at Graceada Park, noting strong community engagement and local talent.

Councilmember Ricci highlighted positive community developments, including the upcoming opening of Vallarta Supermarkets at a long-vacant Raley's site, and emphasized the need for stronger enforcement of the City's vacant building ordinance to encourage economic growth. He also raised concerns about Stanislaus Animal Services, calling for a daily spay/neuter program, proper vaccination, TNR licensing for feral cats, and more accessible, humane animal intake procedures.

Councilmember Escutia-Braaton shared recent community engagement, attending multiple district events and following up with constituents on neighborhood concerns like trees and traffic. She highlighted participation in selecting a location for a new entertainment district to boost Modesto's economy, and noted the upcoming opening of Grace Gardens, a bridge housing initiative, expressing excitement to contribute personally to the project.

Councilmember Alvarez recapped attending multiple National Night Out events across District 2, engaging with residents and organizations about local concerns, particularly homelessness among youth on the West Side. They highlighted the upcoming opening of Grace Gardens, a 12-unit bridge housing project at the Modesto Gospel Mission. Alvarez also addressed traffic safety issues on Spencer Avenue and emphasized that, while supportive of the new downtown soccer stadium, their district's priorities remain healthcare, housing, and dental services, noting that the stadium plan (Option C) includes 940 housing units without displacing current residents.

Mayor Zwahlen highlighted recent community and professional activities, including attending the California Urgent Care grand opening, participating in the Station 17 firefighter training tower ribbon-cutting, and being sworn in to the Stanislaus County Water Advisory Committee. She also engaged with local students through a junior college history class, contributed to the early stages of the Yosemite Community College District Master Plan, and connected with residents at multiple National Night Out events, emphasizing community engagement, public safety, and educational outreach.

CITY MANAGER COMMENTS & REPORTS

None.

HEARINGS

Published in the Modesto Bee on July 25, 2025 and August 1, 2025.

15. Hearing to consider adopting a Resolution authorizing the City Clerk to establish and administer a Passport Service Program and approving related fees. (Funding Source: General Fund)

- Resolution authorizing the City Clerk to establish and administer a Passport Service Program and approving related fees.

CITY CLERK; Diane Navares-Perez, 209-577-5396, dnavaresperez@modestogov.com

ACTION: (Alvarez/Williams; 6/0) Resolution 2025-300 authorizing the City Clerk to establish and administer a Passport Service Program and approving related fees.

Published in the Modesto Bee on August 1, 2025.

16. Hearing to consider approving a Purchasing Agreement with American Traffic Solutions, dba Verra Mobility, Mesa, Arizona, for Automated Red Light Photo Enforcement Technology for a total amount not to exceed \$3,691,891 over five years. (Funding Source: Traffic Safety Fund/Citation Revenue)

- Resolution approving a Purchasing Agreement with American Traffic Solutions, dba Verra Mobility, Mesa, Arizona, by utilizing the Competitive Bid Process with Houston-Galveston Area Council of Governments (H-GAC), for Automated Red Light Photo Enforcement Technology, for a five-year Agreement for an annual estimated amount of \$703,218 and a contingency of \$175,804, if needed, for an Agreement total amount not to exceed \$3,691,891 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

POLICE DEPARTMENT; T.J. Moffett, 209-572-9886, moffettt@modestopd.com

ACTION: (Williams/Bavaro; 6/0) Resolution 2025-301 approving a Purchasing Agreement with American Traffic Solutions, dba Verra Mobility, Mesa, Arizona, by utilizing the Competitive Bid Process with Houston-Galveston Area Council of Governments (H-GAC), for Automated Red Light Photo Enforcement Technology, for a five-year Agreement for an annual estimated amount of \$703,218 and a contingency

of \$175,804, if needed, for an Agreement total amount not to exceed \$3,691,891 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 8:44 p.m.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
FINANCE COMMITTEE
COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, August 25, 2025 at 4:00 PM

Roll Call: Present: Committee Member Bavaro, Chair Escutia-Braaton
Absent: Vice-Chair Wright

PUBLIC COMMENTS PERIOD

None.

COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-7 (Bavaro/Escutia-Braaton; 2/0)

CONSENT

Consent

1. Consider the recommended budget adjustments to Fiscal Year 2024-25 and Fiscal Year 2025-26 Annual Operating and Capital Improvement Program Budgets; amending the Fiscal Year 2025-26 Position Allocation; and forwarding to Council for approval.
(Funding Source: Various Funds)
 - Motion recommending the budget adjustments to 2024-25 and 2025-26 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.
 - Motion recommending amending the Position Allocation for Fiscal Year 2025-26 as adopted in the operating budget; and forwarding to Council for approval.
BUDGET; Kacey Culbertson, 209-571-5855, kculbertson@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 2/0) Motion recommending the budget adjustments to 2024-25 and 2025-26 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.

ACTION: (Bavaro/Escutia-Braaton; 2/0) Motion recommending amending the Position Allocation for Fiscal Year 2025-26 as adopted in the operating budget; and forwarding to Council for approval.

Consent

2. Consider declaring specified City-Owned Properties as Exempt Surplus Land, directing the City Manager or their designee to negotiate the conveyance of such properties in accordance with the Surplus Land Act and forwarding to Council for approval. (Funding Source: Various Funds)
- Motion recommending a Resolution declaring specified City-Owned Properties as Exempt Surplus Land and directing the City Manager or their designee to negotiate the conveyance of such properties in accordance with the Surplus Land Act and forwarding to Council for approval.
- CITY MANAGER; Simerdip Bhangoo, 209-571-5571, sbhangoo@modestogov.com*

ACTION: (Bavaro/Escutia-Braaton; 2/0) Motion recommending a Resolution declaring specified City-Owned Properties as Exempt Surplus Land and directing the City Manager or their designee to negotiate the conveyance of such properties in accordance with the Surplus Land Act and forwarding to Council for approval.

Consent

3. Consider a First Amendment to the Agreements with Bender Rosenthal Inc., Thompson & Thompson and Hulberg & Associates dba Valbridge Property Advisors for Commercial and Residential Real Estate Appraisal Services increasing the Agreement amounts by \$17,000 each and forwarding to Council for approval. (Funding Source: Various Funds)
- Motion recommending a First Amendment to the Agreements with Bender Rosenthal Inc., Thompson & Thompson and Hulberg & Associates dba Valbridge Property Advisors increasing the Agreements by \$17,000 for each consultant and a revised combined amount not to exceed \$150,000 over three years and forwarding to Council for approval.
- CITY MANAGER; Scotty Douglass, 209-577-9149, sdouglass@modestogov.com*

ACTION: (Bavaro/Escutia-Braaton; 2/0) Motion recommending a First Amendment to the Agreements with Bender Rosenthal Inc., Thompson & Thompson and Hulberg & Associates dba Valbridge Property Advisors increasing the Agreements by \$17,000 for each consultant and a revised combined amount not to exceed \$150,000 over three years and forwarding to Council for approval.

Consent

4. Consider the Fiscal Year 2024-25 Write-off and Adjustments reports through fiscal year-end June 30, 2025, in the total amount of \$459,603 and forwarding to Council for approval. (Funding Source: Various Funds)
- Motion recommending the acceptance of Fiscal Year 2024-2025 Write-Off and Adjustments reports through fiscal year end June 30, 2025, in the total amount of \$459,603 and forwarding to Council for approval.
- FINANCE DEPARTMENT; Vanessa Ferrel, 209-571-5174, vferrel@modestogov.com*

ACTION: (Bavaro/Escutia-Braaton; 2/0) Motion recommending the acceptance of Fiscal Year 2024-2025 Write-Off and Adjustments reports through fiscal year end June 30, 2025, in the total amount of \$459,603 and forwarding to Council for approval.

Consent

5. Consider a report on Fiscal Year 2024-2025 unclaimed funds of \$24,060 that can be transferred to the General Fund and forwarding to Council for approval. (Funding Source: General Fund)
- Motion recommending the acceptance of Fiscal Year 2024-2025 unclaimed funds of \$24,060 that can be transferred to the General Fund and forwarding to Council for approval.

FINANCE DEPARTMENT; Vanessa Ferrel, 209-571-5174, vferrel@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 2/0) Motion recommending the acceptance of Fiscal Year 2024-2025 unclaimed funds of \$24,060 that can be transferred to the General Fund and forwarding to Council for approval.

Consent

6. Consider the report detailing City personal property sold, donated, or disposed of during Fiscal Year 2024-25 and forwarding to Council for approval. (Funding Source: Various Funds)
- Motion recommending the review of the report detailing City personal property sold, donated, or disposed of during Fiscal Year 2024-25 and forwarding to Council for approval.

FINANCE DEPARTMENT; Vanessa Ferrel, 209-571-5174, vferrel@modestogov.com,

ACTION: (Bavaro/Escutia-Braaton; 2/0) Motion recommending the review of the report detailing City personal property sold, donated, or disposed of during Fiscal Year 2024-25 and forwarding to Council for approval.

Consent

7. Consider the submission of a Grant Application to the United States Environmental Protection Agency - Community Grants Program for the Grayson Water Infrastructure Improvements Project and forwarding to Council for approval. (Funding Source: Water Fund)
- Motion recommending the submission of a Grant Application to the United States Environmental Protection Agency - Community Grants Program for the Grayson Water Infrastructure Improvements Project and forwarding to Council for approval.

UTILITIES; Edgar Vargas, 209-577-5424, evargas@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 2/0) Motion recommending the submission of a Grant Application to the United States Environmental Protection Agency - Community Grants Program for the Grayson Water Infrastructure Improvements Project and forwarding to Council for approval.

NEW BUSINESS

- 8. Consider delegating the responsibility for investment transactions to the Director of Finance and accepting the Annual Investment Report for Fiscal Year 2024-2025 and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion delegating the responsibility for investment transactions to the Director of Finance and accepting the Annual Investment Report for Fiscal Year 2024-2025 and forwarding to Council for approval.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 2/0) Motion delegating the responsibility for investment transactions to the Director of Finance and accepting the Annual Investment Report for Fiscal Year 2024-2025 and forwarding to Council for approval.

- 9. Consider the issuance of Wastewater Revenue Bonds, Series 2025 in a not to exceed aggregate principal amount of \$60,000,000 to finance the construction of the River Trunk Realignment – Pump Station Construction Project and forwarding to Council for approval. (Funding Source: Sewer Fund)
 - Motion recommending the issuance of Wastewater Revenue Bonds, Series 2025 in a not to exceed aggregate principal amount of \$60,000,000 to finance the construction of the River Trunk Realignment – Pump Station Construction Project and forwarding to Council for approval.

FINANCE DEPARTMENT; DeAnna Christensen, 209-577-5387, dachristensen@modestogov.com

ACTION: (Bavaro/Escutia-Braaton; 2/0) Motion recommending the issuance of Wastewater Revenue Bonds, Series 2025 in a not to exceed aggregate principal amount of \$60,000,000 to finance the construction of the River Trunk Realignment – Pump Station Construction Project and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:35 p.m.

Attest: _____
Reyna Mendoza, Deputy City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, August 26, 2025 at 5:30 PM

Special City Council – Closed Session Meeting 4:15 p.m.

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting 5:30 p.m.

Roll Call- Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: Marvin Jacobo, City Ministry Network

City Clerk’s Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: No reportable action

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring September 7th-13th as National Suicide Prevention Week.
(Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented Proclamation declaring September 7th-13th as National Suicide Prevention Week.

PUBLIC COMMENT PERIOD

- Barry Jackson, a retired Beyer High School counselor and longtime Modesto resident, started an annual student–police basketball game to build positive connections. The event, now in its 10th year, is open to all students and has involved many officers. He invited city representatives to attend and recognized the support of Lieutenant Felton Payne and Chief Gillespie.

- Elaine Wong, Doctor and Chief Resident at Valley Consortium for Medical Education, raised concerns about doctor overwork, reduced staffing, and limited patient access at Golden Valley Health Centers. She noted difficulties in filling residency positions and retaining doctors in Modesto and asked for support in securing a fair contract to improve conditions and patient care.
- Tom Myers, a Modesto resident and member of the Urban Forest group and Stanislaus Audubon Society, thanked the city for funding tree maintenance and planting initiatives. He highlighted the Tuolumne River Regional Park, a 500-acre area with significant natural resources, and noted that a master plan update is underway. Myers emphasized the park's recreational potential and encouraged efforts to make it more accessible and welcoming to the community.
- Harlan Diven, a Modesto resident, spoke about the June 14th protest arrests at 10th Street Plaza. While the charges were dropped, the arrests remain on individuals' records, and they called for the City Council to launch an independent investigation since the Community Police Review Board cannot.
- Anne Marie requested that the City Council repeal the mask ordinance, citing legal concerns raised by the ACLU and the Modesto Bee. She stated that only the Council has the authority to act and also requested expanded oversight authority for the Community Police Review Board.
- Steve asked the Council to place the repeal of the mask ordinance on a future agenda. He cited the Brown Act and Modesto Bee statements indicating the Council has the authority to act without waiting for the Community Police Review Board.
- Frank Padron, a resident on Rouse Avenue, raised concerns about a sewer, sidewalk, and curb project. He stated that residents were required to sign up without being fully informed of funding issues, have since received little communication or notice of meetings, and still have unanswered questions about the project's status and impact.
- Nora Garcia-Ruan asked the Council to place the repeal of Modesto Municipal Code 4-23.02 on the agenda and to address police actions from June 14th. She noted that the Community Police Review Board has not made a recommendation and stated that constituents want the Council to take direct action.
- Jennifer Cullison expressed support for repealing the anti-masking ordinance, citing risks of profiling and arrest for vulnerable populations. She urged the Council to place the issue on the agenda to protect freedom of speech.
- Bianca addressed the Council regarding the mask ordinance, noting that the Council has the authority to address it directly rather than wait for committee recommendations. She also highlighted a lack of community outreach and education about the Community Police Review Board and urged Council Members to engage with constituents.

- Celia Garcia-Perez urged the Council to repeal Modesto Municipal Code 4-23.02, section 13, and to authorize a special investigation into local law enforcement actions on June 14th. She emphasized aligning City actions with constitutional rights and human rights.
- A Modesto resident requested that the Council place the anti-mask ordinance, Municipal Code 4-23.02, subsection 13, on the agenda for amendment or repeal. They cited constitutional concerns, potential discriminatory enforcement, and urged the Council to act to avoid legal challenges.
- A Modesto resident criticized the delay in addressing the anti-mask ordinance, noting that arrests under it were dropped and multiple organizations have highlighted its issues. They emphasized that the ordinance was unnecessary and urged the Council to act more promptly.
- Jerry Thompson from the California Lowrider Alliance announced a new collaboration with Modesto High School and Modesto Junior College. Beginning in September, students will convert a police car into a lowrider as part of a shop class project, earning both high school and college credits while gaining technical and trade skills.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 2, 4-6, 8-14 (Escutia-Braaton/Bavaro; 7/0)

CONSENT

Consent

2. Consider approving the minutes for the August 12, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the August 12, 2025 Council Meeting.
CITY CLERK; Diane Navares-Perez, 209-577-5396, dnavaresperez@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Motion approving the minutes for the August 12, 2025 Council Meeting.

Removed from Consent

Consent

3. Consider accepting the Landmark Preservation Commission Annual Report for Fiscal Year 2024 - 2025. (Funding Source: Not Applicable)
 - Resolution accepting the Landmark Preservation Commission Annual Report for Fiscal Year 2024 - 2025.
CED; Radha Hayagreev, 209-577-5302, rhayagreev@modestogov.com

ACTION: (Ricci/Bavaro; 7/0) Resolution 2025-302 accepting the Landmark Preservation Commission Annual Report for Fiscal Year 2024 - 2025.

Consent

4. Consider approving an Agreement for Engineering Design Services for the Tivoli Dual Use Basin and Park with Westwood Professional Services, Inc., Plano, TX, for a total amount not to exceed \$446,674. (Funding Source: Water Fund Loan and Community Facilities District Bonds)
- Resolution approving the Award of Proposal and Agreement for Engineering Design Services for the Tivoli Dual Use Basin and Park to Westwood Professional Services, Inc., Plano, TX, for a total amount not to exceed \$446,674 and authorizing the City Manager or his designee to execute the Agreement.
 - Resolution approving the issuance of an interfund loan in an amount not to exceed \$446,674 from the Water Fund 4100 to the Tivoli CFD Fund 3255 for the purchase of Engineering Design Services for the Tivoli Dual Use Basin to include an interest rate on the loan equal to the actual rate of return earned by the City's investment portfolio during the 12-month period immediately preceding the payment date and authorizing the City Manager or his designee to carry out the necessary budget adjustments to implement the interfund loan.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-303 approving the Award of Proposal and Agreement for Engineering Design Services for the Tivoli Dual Use Basin and Park to Westwood Professional Services, Inc., Plano, TX, for a total amount not to exceed \$446,674 and authorizing the City Manager or his designee to execute the Agreement.

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-304 approving the issuance of an interfund loan in an amount not to exceed \$446,674 from the Water Fund 4100 to the Tivoli CFD Fund 3255 for the purchase of Engineering Design Services for the Tivoli Dual Use Basin to include an interest rate on the loan equal to the actual rate of return earned by the City's investment portfolio during the 12-month period immediately preceding the payment date and authorizing the City Manager or his designee to carry out the necessary budget adjustments to implement the interfund loan.

Consent

5. Consider approving the First Amendment for the Engineering Design Agreement with Westwood Professional Services, Inc. for the design of the Downtown Revitalization Project increasing the Agreement amount by \$191,017 to a new total amount not to exceed \$385,332. (Funding Source: California Department of Transportation Clean California Grant)
- Resolution approving the First Amendment with Westwood Professional Services Inc., Plano, TX, for the design of the Downtown Revitalization Project increasing the Agreement amount by \$191,017, to a new total amount not to exceed \$385,332 and authorizing the City Manager or his designee to execute the Amendment.

CED; Eric Bonander, 209-577-5255, ebonander@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-305 approving the First Amendment with Westwood Professional Services Inc., Plano, TX, for the design of the Downtown Revitalization Project increasing the Agreement amount by \$191,017, to a new total amount not to exceed \$385,332 and authorizing the City Manager or his designee to execute the Amendment.

Consent

6. Consider approving an Amended and Restated Memorandum of Agreement for the Preliminary Engineering including Final Design Phase of the 7th Street Bridge Project with Stanislaus County. (Funding Source: Streets Capital Facility Fees and Water Fund)
- Resolution approving an Amended and Restated Memorandum of Agreement for the Preliminary Engineering including Final Design Phase of the 7th Street Bridge Project with Stanislaus County and authorizing the City Manager, or his designee to execute the Amended and Restated Memorandum of Agreement.
ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-306 approving an Amended and Restated Memorandum of Agreement for the Preliminary Engineering including Final Design Phase of the 7th Street Bridge Project with Stanislaus County and authorizing the City Manager, or his designee to execute the Amended and Restated Memorandum of Agreement.

Removed from Consent

Consent

7. Consider accepting the 2023 Playground Replacement Phase 1 Project as complete, releasing securities, releasing payments totaling \$698,525 to Sierra Play Partners, of Ripon, CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: Measure H)
- Resolution accepting 2023 Playground Replacement Phase 1 Project, releasing securities, releasing payments totaling \$698,525 to Sierra Play Partners, of Ripon, CA, and authorizing the City Clerk to file a Notice of Completion.
ENGINEERING SERVICES; Pete Kambel, 209-577-5444, pkambel@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-307 accepting 2023 Playground Replacement Phase 1 Project, releasing securities, releasing payments totaling \$698,525 to Sierra Play Partners, of Ripon, CA, and authorizing the City Clerk to file a Notice of Completion.

Consent

8. Consider approving the 2025 Guidance Manual for Development Stormwater Quality Control Measures. (Funding Source: Stormwater Fund)
- Resolution approving the 2025 Guidance Manual for Development Stormwater Quality Control Measures.
ENGINEERING SERVICES; Jaspreet Mangat, 209-577-5253, jmangat@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-308 approving the 2025 Guidance Manual for Development Stormwater Quality Control Measures.

Consent

9. Consider accepting the PPA 17 East Unit Subdivision Public Improvements located at the northeast corner of Floyd Ave and Oakdale Rd and authorizing the City Clerk to file a Notice of Completion with the Stanislaus County Recorder's office and releasing securities upon expiration of statutory periods. (Funding Source: Developer Funded)
- Resolution accepting the Public Improvements of the PPA-17 East Unit Subdivision located at the northeast corner of Floyd Ave and Oakdale Rd, authorizing the City Clerk to file a Notice of Completion with the Stanislaus County Recorder's office, and releasing securities.
- ENGINEERING SERVICES; Jaspreet Mangat, 209-571-5253, jmangat@modestogov.com*

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-309 accepting the Public Improvements of the PPA-17 East Unit Subdivision located at the northeast corner of Floyd Ave and Oakdale Rd, authorizing the City Clerk to file a Notice of Completion with the Stanislaus County Recorder's office, and releasing securities.

Consent

10. Consider accepting an Informational Report for the June 2025 Accounts Payable Payment Register and Void Report. (Funding Source: Not Applicable)
- Motion accepting an Informational Report for the June 2025 Accounts Payable Payment Register and Void Report.
- FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com*

ACTION: (Escutia-Braaton/Bavaro; 7/0) Motion accepting an Informational Report for the June 2025 Accounts Payable Payment Register and Void Report.

Consent

11. Consider approving an Agreement with Telemedicine Group, DE LLC, Sacramento, California, for Comprehensive Heart Health Assessments for First Responders for a total not to exceed \$112,820. (Funding Source: Byrne Justice Assistant Grant Funds)
- Resolution approving an Agreement with Telemedicine Group, DE LLC, Sacramento, California, for Comprehensive Heart Health Assessments for First Responders for a total amount not to exceed \$112,820; and authorizing the City Manager, or his designee, to execute the Agreement.
- POLICE DEPARTMENT; Chris Adams, 209-572-9500, adams@modestopd.com*

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-310 approving an Agreement with Telemedicine Group, DE LLC, Sacramento, California, for Comprehensive Heart Health Assessments for First Responders for a total amount not

to exceed \$112,820; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

12. Consider approving the Agreement for Tire Technician Services for Fleet Services to McCoy Truck Tire Service Center, Modesto, CA for a total amount not to exceed \$614,361 over five years. (Funding Source: Fleet Management Fund)
- Resolution approving the Award of Bid and Agreement for Tire Technician Services for Public Works Fleet Services to McCoy Truck Tire Service Center, Modesto, CA for a two-year Agreement with three one-year extension options, for annual estimated annual cost of \$123,000 and a total amount not to exceed \$614,361 over five years and authorizing the City Manager, or his designee, to execute the Agreement.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-311 approving the Award of Bid and Agreement for Tire Technician Services for Public Works Fleet Services to McCoy Truck Tire Service Center, Modesto, CA for a two-year Agreement with three one-year extension options, for annual estimated annual cost of \$123,000 and a total amount not to exceed \$614,361 over five years and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

13. Consider approving Agreements for the purchase of Equipment and Vehicle Parts and Repair Services with Altec Industries, Inc., Dixon, CA; Keyes Truck Center, Keyes, CA; and Bonander Truck and Trailer, Turlock, CA for a total combined amount not to exceed \$1,010,000 over five years. (Funding Source: Fleet Fund, Outside Service Agreements)
- Resolution approving Agreements for the purchase of Equipment and Vehicle Parts and Repair Services with Altec Industries, Inc., Dixon, CA; Keyes Truck Center, Keyes, CA; and Bonander Truck and Trailer, Turlock, CA for a two-year Agreement with three one-year extension options for an annual combined estimated amount of \$202,000 and a total combined amount not to exceed \$1,010,000 over five years, and authorizing the City Manager, or his designee to execute the Agreements.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-312 approving Agreements for the purchase of Equipment and Vehicle Parts and Repair Services with Altec Industries, Inc., Dixon, CA; Keyes Truck Center, Keyes, CA; and Bonander Truck and Trailer, Turlock, CA for a two-year Agreement with three one-year extension options for an annual combined estimated amount of \$202,000 and a total combined amount not to exceed \$1,010,000 over five years, and authorizing the City Manager, or his designee to execute the Agreements.

Consent

14. Consider approving the Plans and Specifications for the Sisk Road Signal Coordination, CML 5059(264) Project, accepting the Bid and Awarding a Construction Contract to Bear Electrical Solutions, LLC of Alviso, CA in the amount of \$731,713, authorizing \$73,171 for contingency, for a total payment amount not to exceed \$804,884. (Funding Source: Congestion Mitigation and Air Quality and Measure L Funds)
- Resolution approving the Plans and Specifications for the Sisk Road Signal Coordination, CML 5059(264) Project, accepting the Bid and Awarding a Construction Contract to Bear Electrical Solutions, LLC of Alviso, CA in the amount of \$731,713, and a ten percent contingency amount of \$73,171, for a total amount not to exceed \$804,884, and authorizing the City Manager, or his designee, to execute the Agreement.

PUBLIC WORKS; Max Navarro, 209-571-5116, manavarro@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-313 approving the Plans and Specifications for the Sisk Road Signal Coordination, CML 5059(264) Project, accepting the Bid and Awarding a Construction Contract to Bear Electrical Solutions, LLC of Alviso, CA in the amount of \$731,713, and a ten percent contingency amount of \$73,171, for a total amount not to exceed \$804,884, and authorizing the City Manager, or his designee, to execute the Agreement.

COUNCIL COMMENTS & REPORTS

- Councilmember Wright provided an update on homeless services, noting that in July the Downtown Streets Teams removed 8,100 pounds of trash and secured housing for two individuals. He highlighted new programs, including a safe sleeping site for men at Gospel Mission, rapid rehousing support for 19 individuals, and the planned reconstruction of the El Capitan Motel into 49 permanent supportive housing units, with priority for veterans.
- Councilmember Williams shared a message, wishing his wife Nancy a happy anniversary and expressing gratitude for their life together.
- Councilmember Ricci emphasized the need for Animal Services to explore new strategies to expand services within the existing budget while increasing revenue. He expressed interest in seeing innovative approaches implemented to address these challenges.
- Vice-Mayor Bavaro informed the Council that some farming investors are operating wells in deficit and may seek assistance from Modesto's water supply. He emphasized the need to protect City ratepayers and water quality while planning for the city's long-term water needs.
- Mayor Zwahlen reported on recent City activities, including decorating a Grace Gardens bridge housing unit, meeting with international students through the Sister Cities initiative, attending a Modesto street-naming history presentation, and participating in a

Stanislaus County biomass roundtable. She also noted visits from the Modesto Police Department's canine unit and interactions with students at Modesto Junior College.

CITY MANAGER COMMENTS & REPORTS

None.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:51 p.m.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
ECONOMIC DEVELOPMENT COMMITTEE
COUNCIL WORKSHOP
2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, September 08, 2025 at 4:00 PM

Roll Call: Present: Committee Member Bavaro, Vice-Chair Zwahlen, Chair Alvarez
Absent: None

PUBLIC COMMENTS PERIOD

None.

COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-2 (Bavaro/Zwahlen; 3/0)

CONSENT

Consent

1. Consider Annexation Map #2 to the City of Modesto Community Facilities District No. 2024-1 and authorizing the levy of special tax on the property located within the annexation map and forwarding to Council for approval. (Funding Source: Developer Deposit)
 - Motion recommending the approval of Annexation #2 to the City of Modesto Community Facilities District No. 2024-1 and authorizing the levy of special tax on the property located within the annexation map and forwarding to Council for approval.
CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Bavaro/Zwahlen; 3/0) Motion recommending the approval of Annexation #2 to the City of Modesto Community Facilities District No. 2024-1 and authorizing the levy of special tax on the property located within the annexation map and forwarding to Council for approval.

Consent

2. Consider a Purchasing Agreement for the purchase of Equipment and Vehicle Parts with NFI Parts – The Aftermarket Parts Company, LLC (DBA NFI Parts), Louisville,

KY, for a total amount not to exceed \$1,175,300 over five years and forwarding to Council for approval. (Funding Source: Fleet Fund, Outside Service Agreements)

- Motion recommending a Purchasing Agreement for purchase of Equipment and Vehicle Parts with NFI Parts, Louisville, KY for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$235,060 and a total amount not to exceed \$1,175,300 over five years; and forwarding to Council for approval.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Bavaro/Zwahlen; 3/0) Motion recommending a Purchasing Agreement for purchase of Equipment and Vehicle Parts with NFI Parts, Louisville, KY for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$235,060 and a total amount not to exceed \$1,175,300 over five years; and forwarding to Council for approval.

NEW BUSINESS

3. Consider the Plans and Specifications for the 9th Street Corridor Improvement Project, accepting the Bid and Awarding a Contract to United Pavement Maintenance, Inc., of Hughson, CA, for a total amount not to exceed \$14,699,812, approving an Agreement with TRC Engineers, Inc., of Lathrop, CA, for Construction Management Services, Inspection and Materials Testing Services for a total amount not to exceed \$1,089,968 and forwarding to Council for approval. (Funding Source: Affordable Housing and Sustainable Communities (AHSC) Grant Funds and Local Measure L Funds)
 - Motion recommending the approval of the Plans and Specifications for the 9th Street Corridor Improvement Project, accepting the Bid and Awarding a contract to United Pavement Maintenance, Inc., of Hughson, CA, in the amount of \$13,363,465, and authorizing Change Orders up to the cumulative amount of \$1,336,347, for a total Agreement amount not to exceed \$14,699,812; and recommending an Agreement with TRC Engineers, Inc., of Lathrop, CA, for Construction Management and Inspection Services for the 9th Street Corridor Improvement Project in an amount not to exceed \$990,880, plus \$99,088 for additional services, if needed, for a total amount not to exceed \$1,089,968, and forwarding to Council for approval.

ENGINEERING SERVICES; Michael Sacuskie, 209-571-5552, msacuskie@modestogov.com

ACTION: (Zwahlen/Bavaro; 3/0) Motion recommending the approval of the Plans and Specifications for the 9th Street Corridor Improvement Project, accepting the Bid and Awarding a contract to United Pavement Maintenance, Inc., of Hughson, CA, in the amount of \$13,363,465, and authorizing Change Orders up to the cumulative amount of \$1,336,347, for a total Agreement amount not to exceed \$14,699,812; and recommending an Agreement with TRC Engineers, Inc., of Lathrop, CA, for Construction Management and Inspection Services for the 9th Street Corridor Improvement Project in an amount not to exceed \$990,880, plus \$99,088 for additional

services, if needed, for a total amount not to exceed \$1,089,968, and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:18 p.m.

Attest: _____
Reyna Mendoza, Deputy City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, September 09, 2025 at 5:30 PM

Special City Council – Closed Session Meeting 3:15 p.m.

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting 5:30 p.m.

Roll Call- Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: Jeremy Brown, Doctors Medical Center

City Clerk’s Announcements:

Written public comment was received and forwarded to Council.
Additionally, there will be a Special City Council meeting immediately following the adjournment of this meeting.

Declaration of Conflicts of Interest:

None.

Reports from Closed Session:

The City Council met in Closed Session on several items related to property negotiations, existing litigation, and anticipated litigation. One of the items included in the Closed Session was related to the National Opioid Litigation. By unanimous vote, the City Council gave direction to the City Manager and the City Attorney to take the necessary actions to participate in this round of settlements involving Purdue Pharma and the Sackler family, and eight opioid manufacturers. This will result in additional funds for the City to use in combating the negative impacts of opioids. The exact amount of the settlements are still uncertain, but it can be up to \$769,248.88, payable over a period of 16 years.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring September 15th - October 15th as National Hispanic Heritage Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented proclamation declaring September 15th - October 15th as National Hispanic Heritage Month.

2. Proclamation recognizing California's 175th Anniversary of Statehood. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented proclamation recognizing California's 175th Anniversary of Statehood.

PUBLIC COMMENT PERIOD

- Karla thanked the City Council for recognizing Hispanic Heritage Month and expressed appreciation that her family settled in Modesto. She highlighted concerns about community safety, particularly regarding the City's Mask Ordinance. Karla expressed that the Ordinance has led to disproportionate targeting of Black and Hispanic residents by police, citing an ACLU complaint about excessive force. She urged the Council to remove the Ordinance and voiced frustration that despite repeated requests since July, the issue has not been placed on the agenda, questioning the Council's commitment to the Hispanic community.
- Ryann Hall, an Administrative Manager for Cal Pride, urged the City Council to repeal or significantly amend Modesto's Ordinance restricting certain items at public assemblies. She argued that the Ordinance endangers residents and journalists by limiting their ability to protect themselves at demonstrations and noted that groups such as the ACLU and the First Amendment Coalition have also called for change. Hall stated the Ordinance as discriminatory and unworkable, pointing out that law enforcement has admitted to enforcing it with a "guilty until proven innocent" approach. She expressed concern that the ban disproportionately affects marginalized communities who are more likely to participate in protests, discourages civic engagement and journalism, and undermines constitutional rights to free assembly, speech, and press. She called on the Council to act without delay, regardless of the Community Police Review Board's stance.
- Barry Jackson, a longtime Modesto resident, expressed support for efforts to bring professional baseball back to the City. He then addressed concerns about law enforcement practices, particularly the use of masks by Federal officers such as ICE agents, which he described as troubling and reminiscent of authoritarian tactics. While noting that he has not personally been targeted as an older white man, he emphasized

that younger Hispanic and immigrant communities are more vulnerable. Jackson, who supports law enforcement in general, urged City leaders to ensure the Modesto Police Department does not cooperate with masked Federal agents, calling such practices unacceptable.

- Terhesa Gamboa, chairwoman of Woodland West Community and a Neighborhood Watch coordinator, spoke to thank City staff and Public Safety personnel for their support. She noted that a sewer line replacement project on Mercy Avenue has been handled efficiently with minimal disruption, and she expressed appreciation to Will Wong, Pete Kambel, and City engineers and workers for their responsiveness and innovative approach. Gamboa also praised MPD Lieutenant Eric Schuler for promptly addressing neighborhood traffic concerns and thanked the Crime Reduction Unit and patrol officers for their ongoing service. She concluded by inviting the community to attend Woodland West’s upcoming Family Fun Day at Sharp Park.
- Danielle Morgart, representing Assemblyman Juan Alaniz’s office, provided a Legislative update. She noted that the current legislative session will conclude on Friday and resume in January 2026, though the office will remain open to assist constituents with State agency matters. Morgart reported that AB 16, related to ballot counting efficiency, is still awaiting additional Senate hearings; AB 528, addressing child sexual abuse material evidence, has been held in Senate appropriations and will carry over as a two-year bill; and AB 310, the Nevaeh Law cleanup bill, is awaiting a floor hearing. She invited the Council and public to reach out to the Assemblyman’s office with any questions or concerns.
- Bryan Evin addressed the Council with concerns about the Modesto Police Department, recounting an incident where he reported a burglary but was later arrested himself after officers released the suspect. He described being jailed based on what he said were false claims, which resulted in significant personal and financial hardship, including two years of legal proceedings and high bail costs. He argued that the City is responsible under State Law for such actions and criticized the denial of his claim for damages. He also expressed broader frustration with what he views as the City’s mishandling of development projects and lack of facilities like a convention center and stadium. He urged the Council to take responsibility and pay his claim.
- Celia Garcia Perez, a longtime Modesto resident with a background in Chicana and Chicano Studies, recommended that the City adopt the term “Latinx Heritage Month” instead of “Hispanic Heritage Month.” She explained that “Latinx” is more inclusive of diverse communities, including Indigenous, Afro-Latino, and non-Spanish-speaking groups, and avoids centering Spanish colonial history. She noted California has already recognized Latino Heritage Month and urged Modesto to follow suit to better represent the richness of its communities.
- Steve addressed the Council regarding their refusal to discuss repealing the City’s Ordinance on public assembly. Citing a Modesto Bee article stating the Council has full authority to take up the issue, he questioned why members have avoided debate,

suggesting it reflected disregard for community concerns or fear of political pressure. He stated that City leadership and Police discriminated against communities of color and requested that Councilmembers place repeal of the ordinance on a future agenda.

- Anthony Drobnic expressed concerns regarding the City Council not repealing Municipal Code 4-2302, which restricts certain items at public assemblies. He stated the Ordinance undermines First Amendment rights, enables politically motivated arrests, and disproportionately harms vulnerable groups, including unhoused youth. He stated that the Council deferred responsibility to the Community Police Review Board rather than taking direct action and did not pursue independent oversight of police conduct. He highlighted contradictions, such as police wearing masks while residents are prohibited, and reminded the Council of their oath to uphold the Constitution.
- Nic urged the City Council to repeal the City’s Mask Ordinance. He began by noting some positive developments, including Council support for the Latinx community and the dismissal of charges related to a recent rally, but expressed frustration that broader systemic issues remain unaddressed. The speaker stated that maintaining the Ordinance reinforces systemic racism, empowers unaccountable law enforcement, and undermines civil rights. He described the repeal as the “bare minimum” action the Council could take to protect Modesto residents, particularly communities of color, from what they characterized as discriminatory and oppressive systems at both the local and national level.
- Laura Connor urged the City Council to place Municipal Code 4-23.02, Subsection 13 the City’s Anti-Masking Ordinance, on the agenda for repeal. She stated the Ordinance is unconstitutional, violates First Amendment rights, and enables biased enforcement against vulnerable groups such as people of color, immigrants, and unhoused youth. She cited the June 14 anti-deportation protest, where she said police selectively enforced the Ordinance, leading to the detention of unhoused youth for nearly 12 hours. She emphasized that the Council’s concern for unhoused residents should extend to those who speak out politically, not just those perceived as passive. Connor shared firsthand quotes from unhoused youth describing fear, intimidation, and mistreatment by law enforcement during the protest, and concluded by urging the Council to listen to lived experiences rather than uphold policies created without regard for equity or justice.
- A community member urged the City Council to place Municipal Code 4-23.02, section 13—the mask ordinance—on the agenda for repeal, calling it unconstitutional and a violation of First Amendment rights. They stated the Ordinance enables selective enforcement by police and cited the June 14 Central Valley protest, where participants were met with confiscated equipment and aggressive law enforcement despite peacefully demonstrating against mass deportations. The speaker emphasized that continued public pressure demonstrates community solidarity and urged the Council to act responsibly, framing repeal as the “right side of history.”

- Madison Condit addressed the City Council regarding the mask ordinance and its impact on free speech, citing the June 14 ICE protest where participants were arrested and intimidated. She raised concerns regarding the Council failing to take meaningful action or communicate effectively with the community, noting that the Ordinance was originally passed quickly in 2019 under police influence. She stated that referring the issue to the Community Police Review Board delays action and undermines residents' First Amendment rights. She emphasized that claims of public safety have been misused to justify the ordinance and expressed frustration that residents feel fearful of exercising free speech due to the Council's inaction.
- Leah Hassett spoke over the continued enforcement of the Mask Ordinance. She expressed concern that the City is ignoring community voices and replicating patterns of intimidation and discrimination seen at the national level. Hassett emphasized the Ordinance's negative impact on vulnerable residents, arguing that it undermines Modesto's ability to be a supportive, inclusive community. She urged the Council to repeal the Ordinance.
- Will from Modesto discussed the Mask Ordinance and its impact on protests. He pointed out that wearing a mask and protesting were both legal activities on their own, but when combined, they had become criminal offenses under the Ordinance. He expressed concern that this combination led to arrests and discouraged people from protesting due to fears of police intimidation. He shared that he had felt unsafe during a protest, despite being a tall, white male, and suggested that others may have felt even less safe. He believed that people should not have to feel unsafe when exercising their right to protest.
- A community member expressed concerns about the ongoing discussions regarding the Mask Ordinance. He noted that while the Ordinance was quickly enacted, months had passed without resolution, and despite repeated mentions of its unconstitutionality by groups like the ACLU, no progress had been made. The speaker questioned why the Ordinance had not been addressed on the agenda and emphasized the importance of being able to protest while concealing identities for protection against various authorities, including ICE. He affirmed the right to speak out against authority and stated that if the Ordinance was not repealed, they would work with the ACLU to sue the City. He also suggested that a lawsuit could set a precedent in California, preventing other cities from enacting similar Ordinances.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 3-19, 21 (Wright/Escutia-Braaton; 7/0)

CONSENT

Consent

3. Consider approving the minutes for the August 26, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the August 26, 2025 Council Meeting.

CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Motion approving the minutes for the August 26, 2025 Council Meeting.

Consent

4. Consider appointing a voting delegate to the 2025 League of California Cities Annual Conference to be held in Long Beach, CA on October 8-10, 2025. (Funding Source: Not Applicable)
- Motion approving Councilmember Williams as a voting delegate and Mayor Zwahlen as the alternate voting delegate for the 2025 League of California Cities Annual Conference to be held in Long Beach, CA on October 8-10, 2025.

CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Motion approving Councilmember Williams as a voting delegate and Mayor Zwahlen as the alternate voting delegate for the 2025 League of California Cities Annual Conference to be held in Long Beach, CA on October 8-10, 2025.

Consent

5. Consider approving the response to the Findings and Recommendations of the 2024-2025 Stanislaus County Civil Grand Jury Consolidated Report- Case #25-23GJ . (Funding Source: Not Applicable)
- Resolution approving the response to the Findings and Recommendations of the 2024-2025 Stanislaus County Civil Grand Jury Report- Case #25-25GJ.

CITY MANAGER; Scotty Douglass, 209-577-9149, sdouglass@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-314 approving the response to the Findings and Recommendations of the 2024-2025 Stanislaus County Civil Grand Jury Report- Case #25-25GJ.

Consent

6. Consider accepting the Accounts Receivable Internal Controls Review Report. (Funding Source: General Fund)
- Motion accepting the Accounts Receivable Internal Controls Review Report.

CITY AUDITOR; Colleen Rozillis, 206-302-6795, colleen.rozillis@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Motion accepting the Accounts Receivable Internal Controls Review Report.

Consent

7. Consider accepting the Capital Improvement Program Assessment Report. (Funding Source: General Fund)

- Motion accepting the Capital Improvement Program Assessment Report.

CITY AUDITOR; Colleen Rozillis, 206-302-6795, colleen.rozillis@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Motion accepting the Capital Improvement Program Assessment Report.

Consent

8. Consider accepting the Permitting Efficiency Study Update Report. (Funding Source: General Fund)

- Motion accepting the Permitting Efficiency Study Update Report.

CITY AUDITOR; Colleen Rozillis, 206-302-6795, colleen.rozillis@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Motion accepting the Permitting Efficiency Study Update Report.

Consent

9. Consider approving the recommended budget adjustments to Fiscal Year 2024-25 and Fiscal Year 2025-26 Annual Operating and Capital Improvement Program Budgets and amending the Fiscal Year 2025-26 Position Allocation. (Funding Source: Various Funds)

- Resolution amending Fiscal Year 2024-25 and Fiscal Year 2025-26 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.
- Resolution amending the Position Allocation for Fiscal Year 2025-26 as adopted in the operating budget.

BUDGET; Kacey Culbertson, 209-571-5855, kculbertson@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-315 amending Fiscal Year 2024-25 and Fiscal Year 2025-26 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-316 amending the Position Allocation for Fiscal Year 2025-26 as adopted in the operating budget.

Consent

10. Consider adopting Notice of Exemption EA/C&Ed NO. 2025-15, which affirms that the proposed project is exempt from the California Environmental Quality Act (CEQA) and accepting the California Department of Transportation (Caltrans) Sustainable Transportation Planning Fiscal Year 2025-26 Grant in the amount of \$450,000 for the development of the Downtown Modesto Multimodal Transportation Network and Land Use Compatibility Plan. (Funding Source: Grant Funds and In-Kind Match)

- Resolution certifying and adopting notice of exemption EA/C&ED 2025-15, which affirms that the proposed project is exempt from the California Environmental Quality Act (CEQA) Pursuant to Section 15061(b)(3) of the CEQA Guidelines and, accepting the Department of Transportation (Caltrans) Sustainable Transportation Planning Grant for the Fiscal Year 2025-26, in the

amount of \$450,000 for the development of the Downtown Modesto Multimodal Transportation Network and Land Use Compatibility Plan, and authorizing the City Manager, or designee, to execute all Grant Agreements and documents related thereto.

- Resolution amending the Fiscal Year 2025-2026 multi-year project budget to establish a project in the amount of \$508,500 for the Department of Transportation (Caltrans) Sustainable Transportation Planning Grant and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions in this Resolution.

CED; Vanessa Castro, 209-577-5282, vcastro@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-317 certifying and adopting notice of exemption EA/C&ED 2025-15, which affirms that the proposed project is exempt from the California Environmental Quality Act (CEQA) Pursuant to Section 15061(b)(3) of the CEQA Guidelines and, accepting the Department of Transportation (Caltrans) Sustainable Transportation Planning Grant for the Fiscal Year 2025-26, in the amount of \$450,000 for the development of the Downtown Modesto Multimodal Transportation Network and Land Use Compatibility Plan, and authorizing the City Manager, or designee, to execute all Grant Agreements and documents related thereto.

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-318 amending the Fiscal Year 2025-2026 multi-year project budget to establish a project in the amount of \$508,500 for the Department of Transportation (Caltrans) Sustainable Transportation Planning Grant and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions in this Resolution.

Consent

11. Consider accepting the Upgrade Traffic Signals 2019 Project as complete, releasing securities, releasing payments totaling \$1,688,191 to St. Francis Electric, LLC., of San Leandro, CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: Congestion Mitigation and Air Quality)
 - Resolution accepting Upgrade Traffic Signals 2019 Project as complete, releasing securities, releasing payments totaling \$1,688,191 to St. Francis Electric, LLC., of San Leandro, CA, and authorizing the City Clerk to file a Notice of Completion.

ENGINEERING SERVICES; Pete Kambel, 209-577-5444, pkambel@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-319 accepting Upgrade Traffic Signals 2019 Project as complete, releasing securities, releasing payments totaling \$1,688,191 to St. Francis Electric, LLC., of San Leandro, CA, and authorizing the City Clerk to file a Notice of Completion.

Consent

12. Consider approving the Subdivision Improvement Agreements (SIAs) and Final Maps for The Founders Point II Woodglen Villages 4A, 4B, and 6, which together comprise

approximately 20.1 acres consisting of 138 residential lots, five (5) landscape lots, and public road right-of-way dedications of approximately 5.1 acres all located at the southwest corner of Bangs Avenue and Tully Road APNs # 046-007-048 and 046-007-049. (Funding Source: Developer Fees)

- Resolution approving the Final Maps for Founders Point II Woodglen Villages 4A, 4B, and 6, approving the Subdivision Improvement Agreements and authorizing the City Manager, or his designee, to execute the Subdivision Improvement Agreements with FOR California Development LLC, a Delaware Limited Liability Company and authorize the City Clerk to certify the Final Maps and record with the Stanislaus County Recorder's Office.

*ENGINEERING SERVICES; Jaspreet Mangat, 209-577-5253,
jmangat@modestogov.com*

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-320 approving the Final Maps for Founders Point II Woodglen Villages 4A, 4B, and 6, approving the Subdivision Improvement Agreements and authorizing the City Manager, or his designee, to execute the Subdivision Improvement Agreements with FOR California Development LLC, a Delaware Limited Liability Company and authorize the City Clerk to certify the Final Maps and record with the Stanislaus County Recorder's Office.

Consent

13. Consider delegating the responsibility for investment transactions to the Director of Finance and accepting the Annual Investment Report for Fiscal Year 2024-2025. (Funding Source: Various Funds)

- Resolution delegating the responsibility for investment transactions to the Director of Finance and accepting the Annual Investment Report for Fiscal Year 2024-2025.

*FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219,
cmaniscalco@modestogov.com*

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-321 delegating the responsibility for investment transactions to the Director of Finance and accepting the Annual Investment Report for Fiscal Year 2024-2025.

Consent

14. Consider approving the purchase for one Fleet Replacement and one Fleet Addition for Fleet Vehicles which includes one 2025 Ford F-350 Truck and one Digger Derrick Truck in a total amount not to exceed \$653,670. (Funding Source: Measure H and Fleet Replacement Fund)

- Resolution approving the Competitive Bidding Process from Sourcewell to Rush Enterprises dba Rush Truck Centers of New Braunfels, TX under the authorized dealer, Rush Medium-Duty Truck Centers of California Inc. dba Rush Truck Centers, Ceres, CA for the purchase of one 2025 Ford F-350 Truck for an amount not to exceed \$83,987; and authorizing the Director of Finance, or her designee, to issue the Purchase Order; and authorizing the Director of

Finance or her designee to execute any Change Orders not to exceed 15% of the total purchase price.

- Resolution approving the Competitive Bidding Process from Sourcewell to Terex Utilities, Inc., Watertown, SD for the purchase of one Digger Derrick Truck for an amount not to exceed \$449,553 plus \$40,098 in taxes and fees to be paid directly to the state; and authorizing the Director of Finance, or her designee, to issue the Purchase Order; and authorizing the Director of Finance or her designee to execute any Change Orders not to exceed 15% of the total purchase price.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-322 approving the Competitive Bidding Process from Sourcewell to Rush Enterprises dba Rush Truck Centers of New Braunfels, TX under the authorized dealer, Rush Medium-Duty Truck Centers of California Inc. dba Rush Truck Centers, Ceres, CA for the purchase of one 2025 Ford F-350 Truck for an amount not to exceed \$83,987; and authorizing the Director of Finance, or her designee, to issue the Purchase Order; and authorizing the Director of Finance or her designee to execute any Change Orders not to exceed 15% of the total purchase price.

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-323 approving the Competitive Bidding Process from Sourcewell to Terex Utilities, Inc., Watertown, SD for the purchase of one Digger Derrick Truck for an amount not to exceed \$449,553 plus \$40,098 in taxes and fees to be paid directly to the state; and authorizing the Director of Finance, or her designee, to issue the Purchase Order; and authorizing the Director of Finance or her designee to execute any Change Orders not to exceed 15% of the total purchase price.

Consent

15. Consider approving the Emergency Purchases, for an amount not to exceed \$155,990, to cover all costs incurred by the urgent and significant water and mold damage repairs to Fire Station 11. (Funding Source: General Fund)
 - Resolution approving the Emergency Purchases, for an amount not to exceed \$155,990, to cover all costs incurred by the urgent and significant water and mold damage repairs to Fire Station 11.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-324 approving the Emergency Purchases, for an amount not to exceed \$155,990, to cover all costs incurred by the urgent and significant water and mold damage repairs to Fire Station 11.

Consent

16. Consider approving the Third Amendment with West Coast Door and Gate, Ceres, CA for On-call Commercial Roll-up Door Maintenance and Repair Services increasing the

Agreement amount by \$160,000 and extending the term of the Agreement to June 2, 2026. (Funding Source: General Fund)

- Resolution approving the Third Amendment with West Coast Door and Gate, Ceres, CA for On-call Commercial Roll-up Door Maintenance and Repair Services increasing the Agreement amount by \$160,000 to a new total amount of \$446,000 and extending the term of the Agreement from December 2, 2025 to June 2, 2026, and authorizing the City Manager, or his designee, to execute the Amendment.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-325 approving the Third Amendment with West Coast Door and Gate, Ceres, CA for On-call Commercial Roll-up Door Maintenance and Repair Services increasing the Agreement amount by \$160,000 to a new total amount of \$446,000 and extending the term of the Agreement from December 2, 2025 to June 2, 2026, and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

17. Consider approving the First Amendment to the Agreement with Moss Adams, LLP Stockton, CA, for City Auditor and City Auditing Services to amend the original agreement to include the compensation language “per each Fiscal Year Audit Plan.” (Funding Source: General Fund)

- Resolution approving a First Amendment to the Agreement with Moss Adams LLP Stockton, CA for City Auditor and City Auditing services to amend the original agreement to include the compensation language “per each Fiscal Year Audit Plan”; and authorizing the City Manager, or his designee to execute the Amendment.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-326 approving a First Amendment to the Agreement with Moss Adams LLP Stockton, CA for City Auditor and City Auditing services to amend the original agreement to include the compensation language “per each Fiscal Year Audit Plan”; and authorizing the City Manager, or his designee to execute the Amendment.

Consent

18. Consider approving the Agreements with Telcion Communication Group, Turlock, CA for the Criminal Justice Information Services (CJIS) system implementation project for a total amount not to exceed \$167,592. (Funding Source: Department of Justice Grant)

- Resolution approving the Agreements with Telcion Communication Group, Turlock, CA for the Criminal Justice Information Services (CJIS) system implementation project for a total amount not to exceed \$167,592; and authorizing the City Manager, or his designee to execute the Agreements.

IT; Dameon Booker, 209-571-5229, dbooker@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-327 approving the Agreements with Telcion Communication Group, Turlock, CA for the Criminal Justice Information Services (CJIS) system implementation project for a total amount not to exceed \$167,592; and authorizing the City Manager, or his designee to execute the Agreements.

Consent

19. Consider approving Secondary Agreements with Law Enforcement Psychological Services, Inc., Los Gatos, CA and CORE Psychological Corporation, Gold River, CA, for Pre-Employment Psychological Services for a total combined amount not to exceed \$40,000 over three years. (Funding Source: General Fund)
- Resolution approving the Secondary Agreements with Law Enforcement Psychological Services, Inc., Los Gatos, CA and CORE Psychological Corporation, Gold River, CA, for Pre-Employment Psychological Services for a total combined amount not to exceed \$40,000 over three years, and authorizing the Director of Finance to adjust agreement totals between vendors based on contractor's availability and department's needs, ensuring the combined total amount does not change and authorizing the City Manager, or his designee, to execute the Agreements.

POLICE DEPARTMENT; Jessica Nicholson, 209-572-9500, nicholsonje@modestopd.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2029-328 approving the Secondary Agreements with Law Enforcement Psychological Services, Inc., Los Gatos, CA and CORE Psychological Corporation, Gold River, CA, for Pre-Employment Psychological Services for a total combined amount not to exceed \$40,000 over three years, and authorizing the Director of Finance to adjust agreement totals between vendors based on contractor's availability and department's needs, ensuring the combined total amount does not change and authorizing the City Manager, or his designee, to execute the Agreements.

Removed from Consent

20. Consider approving the Agreement for On-Call Electrical Services to Advanced Lighting Services, Inc., Dublin, CA for a total amount not to exceed \$1,334,456 over five years. (Funding Source: Building Maintenance Fund)
- Resolution approving the Award of Bid and Agreement for On-Call Electrical Services to Advanced Lighting Services, Inc., Dublin, CA for a two-year Agreement with three one-year extension options, for an estimated annual amount of \$267,114 and a total amount not to exceed \$1,335,566 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

PUBLIC WORKS; Gabe daSilva, 209-652-2579, gdasilva@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-329 approving the Award of Bid and Agreement for On-Call Electrical Services to Advanced Lighting Services, Inc., Dublin, CA for a two-year Agreement with three one-year extension options, for an

estimated annual amount of \$267,114 and a total amount not to exceed \$1,335,566 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

21. Consider approving a Prequalified Local Consultant List for Civil Engineering Services for a period of five years. (Funding Source: Various Capital/Non-Capital Projects)

- Resolution approving a Prequalified Local Consultant List for Civil Engineering Services for a period of five years.

UTILITIES; Edgar Vargas, 209-577-5424, evargas@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-330 approving a Prequalified Local Consultant List for Civil Engineering Services for a period of five years.

COUNCIL COMMENTS & REPORTS

- Councilmember Williams shared a brief comment about attending the 63rd annual Ag Luncheon organized by the Modesto Chamber of Commerce. The event, held at the MJC Ag Building, featured keynote speaker Mike West from the West Family. He announced that the West Family business, which has been around for 116 years, would be keeping its headquarters in Modesto. While Williams did not disclose the specific location, he expressed his satisfaction that the company would remain in the City.
- Councilmember Alvarez began by echoing Councilmember Williams' comments about Hispanic Heritage Month and mentioned El Concilio's upcoming celebration on the 19th, which will feature comedian Gina Brillon. He then highlighted positive crime statistics for Modesto from August, noting decreases in major violent crimes (down 13%), robberies (down 26%), property crimes (down 21%), auto theft (down 43%), and several other offenses. He commended the Modesto Police Department, particularly Chief Gillespie, for their efforts in public safety. Alvarez also praised the City Manager and staff for their quick response to blight issues in District 2, specifically thanking the Measure H Blight Abatement Team for their work in addressing debris and issues from homeless encampments.
- Councilmember Escutia-Bratton highlighted the grand opening of Vallarta Supermarket on Oakdale Boulevard, emphasizing the Gonzalez family's generosity. She noted their donation of \$7,500 to local schools and charities and the creation of 421 jobs between their two Modesto locations. She praised the supermarket for its vibrant, community-focused atmosphere. She also discussed the potential redevelopment of the old courthouse site into a warehouse market, similar to iconic markets like Findlay Market in Cincinnati, and encouraged the public to attend a community input session on September 24th to share ideas for the site's future.

- Finally, she commended the Modesto Police Department for recent crime reductions, particularly a 41% decrease in auto thefts and a 26% drop in robberies. She expressed support for Chief Gillespie and reaffirmed the Council's commitment to ensuring the department has the resources needed to maintain this progress.
- Vice Mayor Bavaro addressed the upcoming closure of the Downtown Streets Team in Modesto, set to close by October 31st due to financial and political challenges. He expressed deep concern about the program's impact, emphasizing that it has been crucial in supporting the unhoused community by providing work opportunities and helping individuals regain self-respect and employment. Bavaro highlighted the team's significant contributions, including picking up over 53 tons of trash and over 1,300 needles in the City last year. He acknowledged the efforts of the Community and Economic Development Department, led by Jessica Hill, who are working tirelessly to find a solution and continue the program under a different nonprofit. He assured the public that efforts would be made to keep the program running.
- Mayor Zwahlen shared recent activities, including meeting Modesto's new Superintendent, Vanessa Buitrago, attending the Asian American Pacific Islander Festival, and participating in a radio interview about soccer in the City. She highlighted a community workshop on street safety and encouraged public input on improvements. She also joined a leadership panel at the Stanislaus County Office of Education, engaging with students, and attended the Modesto Police Clergy Council meeting to collaborate with local law enforcement, pastors, and community members.

CITY MANAGER COMMENTS & REPORTS

None.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:03 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES

City of Modesto

SPECIAL CITY COUNCIL MEETING

Chambers, Basement Level

Tenth Street Place, 1010 10th Street

Modesto, California

Tuesday, September 09, 2025 at 5:30 PM

Special City Council Meeting - Commenced at 7:10 P.M. after Regular Council meeting.

Roll Call- Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

PUBLIC COMMENT PERIOD

None.

NEW BUSINESS

1. Consider approving an Agreement between the City of Modesto and Main Street Modesto, LLC to lease John Thurman Field for a five-year term beginning October 1, 2025, through September 30, 2030 with the option of one three-year extension. (Funding Source: General Fund)

- Resolution approving an Agreement between the City of Modesto and Main Street Modesto, LLC to lease John Thurman Field for a five-year term beginning October 1, 2025, through September 30, 2030, with the option of a three-year extension, and authorizing the City Manager, or his designee, to negotiate and execute the Agreement.

CED; Taranjot Khehra, 209-577-5239, tkhehra@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-331 approving an Agreement between the City of Modesto and Main Street Modesto, LLC to lease John Thurman Field for a five-year term beginning October 1, 2025, through September 30, 2030, with the option of a three-year extension, and authorizing the City Manager, or his designee, to negotiate and execute the Agreement.

ADJOURNMENT

This meeting adjourned at 7:33 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
SPECIAL APPOINTMENTS COMMITTEE / COUNCIL
WORKSHOP

2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Wednesday, September 10, 2025 at 4:00 PM

Roll Call: Present: Chair Alvarez, Vice-Chair Rosa Escutia-Braaton, Committee Member
Jeremiah Williams
Absent: None

PUBLIC COMMENT PERIOD

None.

SUBMITTING COMMENTS BY E-MAIL

None.

PRESENTATIONS

1. Consider an informational update on the status of the terms for the Citizen Advisory Boards, Commissions, and Committees. (Funding Source: Not Applicable)
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: City Clerk Diane Nayares-Perez presented an informational update on the status of the terms for the Citizen Advisory Boards, Commissions, and Committees.

NEW BUSINESS

2. Consider interviewing and recommending an appointment for one vacancy on the City of Modesto Planning Commission with a term ending December 31, 2029 and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the appointment of one full-term vacancy on the City of Modesto Planning Commission with the term ending December 31, 2029, and forwarding to Council for approval.
CED; Jessica Hill, 209-577-5267, jhill@modestogov.com

ACTION: (Williams/Escutia-Braaton; 3/0) Motion recommending the appointment of Hans Hauselman for one full-term vacancy on the City of Modesto Planning Commission with the term ending December 31, 2029, and forwarding to Council for approval.

- 3. Consider the appointments to fill two vacancies to the City of Modesto Housing Rehabilitation Loan Committee (HRLC), with a term ending December 31, 2028, and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending appointments to fill two vacancies on the City of Modesto Housing Rehabilitation Loan Committee (HRLC), with a term ending December 31, 2028, and forwarding to Council for approval.

CED; Edgar Garcia, 209-571-5101, edgarcia@modestogov.com

ACTION: (Williams/Escutia-Braaton; 3/0) Motion recommending the appointments of Erick Winchester, to fill the vacancy for one Financial Institution Representative, and Cindy Frazee, to fill the vacancy for one Citizen-at-Large, on the City of Modesto Housing Rehabilitation Loan Committee (HRLC), with terms ending December 31, 2028, and forwarding to Council for approval.

- 4. Consider the appointments of three vacancies to the Measure L Citizen’s Transportation Sales Tax Commission for a four-year term from July 1, 2025 to June 30, 2029 and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the appointments three vacancies to the Measure L Citizen’s Transportation Sales Tax Commission for a four-year term from July 1, 2025 to June 30, 2029 and forwarding to Council for approval.

ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Escutia-Braaton/Alvarez; 3/0) Motion recommending the appointments of Theodore Mills and Analisa Freitas, to fill two Citizen-at-Large vacancies, to the Measure L Citizen’s Transportation Sales Tax Commission for four-year terms from July 1, 2025 to June 30, 2029 and forwarding to Council for approval.

- 5. Consider the appointment of ten members to the Modesto Youth Commission for a two-year term from September 23, 2025, to August 31, 2027, and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the appointment of ten members to the Modesto Youth Commission for a two-year term from September 23, 2025, to August 31, 2027, and forwarding to Council for approval.

PRN; John Skeel, 209-577-5216, jskeel@modestogov.com

ACTION: (Williams/Escutia-Braaton; 3/0) Motion recommending the appointments of Magdalena Siordia Tapia, Martin Montez, Sabrina Toor, Gurnoor Jhatu, Jacob Lopez, Eden Chen, Karla Enriquez, Lavanya Bansal, Raiden Manabat, and Sade Diaz Martinez to the Modesto Youth Commission for two-year terms from September 23, 2025, to August 31, 2027, and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 5:22 pm.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
SAFETY AND COMMUNITIES COMMITTEE
COUNCIL WORKSHOP
2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, September 15, 2025 at 4:00 PM

Roll Call: Present: Committee Member Escutia-Braaton, Vice-Chair Ricci,
Chair Williams

Absent: None

PUBLIC COMMENTS IN PERSON

None.

SUBMITTING COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-2 (Ricci/Escutia-Braaton; 3/0)

CONSENT

Consent

1. Consider a First Amendment to the Agreement with Mark Thomas & Company, Inc. for additional tasks related to Construction Documentation and Bidding & Construction Support for the Tuolumne River Regional Park (TRRP) Riverwalk Trail – Gateway to Neece Project, for a new total amount not to exceed \$364,941 and forwarding to Council for approval. (Funding Source: Parks Capital Facility Fee Fund, Recreational Trails and Greenways Grant Program – Proposition 68)
 - Motion recommending a First Amendment to the Agreement with Mark Thomas & Company, Inc. for additional tasks related to Construction Documentation and Bidding & Construction Support for the Tuolumne River Regional Park (TRRP) Riverwalk Trail – Gateway to Neece Project, increasing the Agreement amount by \$62,584 to a new total amount not to exceed \$325,841, plus \$39,100 in additional services, if needed, for a total amount not to exceed \$364,941, and forwarding to Council for approval.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Ricci/Escutia-Braaton; 3/0) Motion recommending a First Amendment to the Agreement with Mark Thomas & Company, Inc. for additional tasks related to Construction Documentation and Bidding & Construction Support for the Tuolumne River Regional Park (TRRP) Riverwalk Trail – Gateway to Neece Project, increasing the Agreement amount by \$62,584 to a new total amount

not to exceed \$325,841, plus \$39,100 in additional services, if needed, for a total amount not to exceed \$364,941, and forwarding to Council for approval.

Consent

- 2. Consider the application and issuance of a Permit to operate as a Non-Emergency Medical Transport Company to Quality Care Transportation in the City of Modesto and forwarding to Council for approval. (Funding Source: General Fund)
 - Motion recommending the application and issuance of a Permit to operate as a Non-Emergency Medical Transport Company to Quality Care Transportation in the City of Modesto and forwarding to Council for approval.

POLICE DEPARTMENT; Kalani Souza, 209-572-9500, souzak@modestopd.com

ACTION: (Ricci/Escutia-Braaton; 3/0) Motion recommending the application and issuance of a Permit to operate as a Non-Emergency Medical Transport Company to Quality Care Transportation in the City of Modesto and forwarding to Council for approval.

UNFINISHED BUSINESS

- 3. Consider a follow-up report on upcoming Parks Planning and Development Division Playground Replacement Projects planned for bidding and construction. (Funding Source: Measure H)
 - Motion accepting a follow-up report on upcoming Parks Planning and Development Division Playground Replacement Projects planned for bidding and construction.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Ricci/Escutia-Braaton; 3/0) Motion accepting a follow-up report on upcoming Parks Planning and Development Division Playground Replacement Projects planned for bidding and construction.

ADJOURNMENT

This meeting adjourned at 4:38 P.M.;

Attest: _____
Dana Sanchez, Assistant City Clerk

MINUTES
City of Modesto
FINANCE COMMITTEE / COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, September 22, 2025 at 4:00 PM

Roll Call: Present: Committee Member Bavaro, Vice-Chair Wright, Chair Escutia-Braaton
Absent: None

PUBLIC COMMENTS PERIOD

None.

COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-3 (Wright/Bavaro; 3/0)

Consent

1. Consider the recommended budget adjustments to Fiscal Year 2025-26 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the budget adjustments to Fiscal Year 2025-26 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.
BUDGET; Kacey Culbertson, 209-571-5855, kculbertson@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the budget adjustments to Fiscal Year 2025-26 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.

Consent

2. Consider recommending the Director of Finance to adjust Agreement totals between the Administrative Investigative Services Agreements based on consultant availability and department’s needs, ensuring the combined total does not exceed \$500,000 over remaining term of the Agreements and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the Director of Finance to adjust Agreement totals between the Administrative Investigative Services Agreements based on consultant availability and department’s needs, ensuring the combined total

does not to exceed \$500,000 over remaining term of the Agreements and forwarding to Council for approval.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Director of Finance to adjust Agreement totals between the Administrative Investigative Services Agreements based on consultant availability and department's needs, ensuring the combined total does not to exceed \$500,000 over remaining term of the Agreements and forwarding to Council for approval.

Consent

3. Consider an Engineering Services Agreement with West Yost Associates, of Sacramento, CA, for the preparation of the 2025 Joint Urban Water Management Plan and Water Conservation Plan Update in the amount of \$180,455, plus \$18,046 in Additional Services, if needed, for an Agreement total amount not to exceed \$198,501, entering into an associated Cost-Share Agreement with the Modesto Irrigation District and forwarding to Council for approval. (Funding Source: Water Fund)
- Motion recommending an Engineering Services Agreement with West Yost Associates, of Sacramento, CA for the 2025 Joint Urban Water Management Plan and Water Conservation Plan Update in the amount of \$180,455, plus \$18,046 in Additional Services, if needed, for an Agreement total amount not to exceed \$198,501 and forwarding to Council for approval.
 - Motion recommending entering into a Cost-Share Agreement with Modesto Irrigation District regarding the reimbursement of costs related to the preparation of the 2025 Joint Urban Water Management Plan and forwarding to Council for approval.
 - Motion recommending an Amendment to the Fiscal Year 2025-26 Multi-Year Program Budget in the amount of \$279,060 to establish the expense and revenue budgets for the 2025 Joint Urban Water Management Plan and Water Conservation Plan Update and forwarding to Council for approval.

UTILITIES; Miguel Alvarez, 209-577-5348, malvarez@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending an Engineering Services Agreement with West Yost Associates, of Sacramento, CA for the 2025 Joint Urban Water Management Plan and Water Conservation Plan Update in the amount of \$180,455, plus \$18,046 in Additional Services, if needed, for an Agreement total amount not to exceed \$198,501 and forwarding to Council for approval.

ACTION: (Wright/Bavaro; 3/0) Motion recommending entering into a Cost-Share Agreement with Modesto Irrigation District regarding the reimbursement of costs related to the preparation of the 2025 Joint Urban Water Management Plan and forwarding to Council for approval.

ACTION: (Wright/Bavaro; 3/0) Motion recommending an Amendment to the Fiscal Year 2025-26 Multi-Year Program Budget in the amount of \$279,060 to establish the

expense and revenue budgets for the 2025 Joint Urban Water Management Plan and Water Conservation Plan Update and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:02 p.m.

Attest: _____
Andrea Cook, Deputy City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, September 23, 2025 at 5:30 PM

Special City Council – Closed Session Meeting 3:00 p.m.

Roll Call - Present: Councilmembers Alvarez (Arrived at 3:05pm), Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting 5:30 p.m.

Roll Call- Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: Pastor Devon Martinez, Good Life Church

City Clerk’s Announcements: None

Declaration of Conflicts of Interest: Williams – Item 10

Reports from Closed Session: No Reportable Action

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring October 5th - 11th as National Fire Prevention Week. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented proclamation declaring October 5th - 11th as National Fire Prevention Week.

2. Proclamation declaring October as National Domestic Violence Awareness Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented proclamation declaring October as National Domestic Violence Awareness Month.

3. Proclamation declaring Saturday, September 27, 2025 as Lowrider History Day in the City of Modesto. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented proclamation declaring Saturday, September 27, 2025 as Lowrider History Day in the City of Modesto.

4. Proclamation recognizing Storm Water Awareness Week, California Water Professionals Week, and Imagine a Day without Water 2025 under One Water Modesto. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented proclamation recognizing Storm Water Awareness Week, California Water Professionals Week, and Imagine a Day without Water 2025 under One Water Modesto.

MISCELLANEOUS

5. Consider accepting the resignation of Lupe Hodges from the Culture Commission. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of Lupe Hodges from the Culture Commission.

PRN; Jessica Flores, 209-577-5366, jeflores@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-332 accepting the resignation of Lupe Hodges from the Culture Commission.

6. Consider accepting the resignations of Melanie Webb and Melissa Burgess from the Blight Abatement Advisory Committee and vacating their positions. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignations of Melanie Webb and Melissa Burgess from the Blight Abatement Advisory Committee and vacating their positions.

PUBLIC WORKS; Jody Strait, 209-577-6416, jstrait@modestogov.com

ACTION: (Alvarez/Williams; 7/0) Resolution 2025-333 accepting the resignations of Melanie Webb and Melissa Burgess from the Blight Abatement Advisory Committee and vacating their positions.

PUBLIC COMMENT IN PERSON

- Ryann Hall, Cal Pride’s Communications Director, urged the Modesto City Council to quickly repeal the Mask Ordinance, calling it unconstitutional, discriminatory, and harmful to free speech. Hall stressed the need for immediate action following the

Review Board's recommendation and reaffirmed Cal Pride's commitment to accountability and community rights.

- Harlan Diven, a Modesto resident and attorney, urged the City Council to repeal the Mask Ordinance, calling it vague, overbroad, and harmful to privacy and First Amendment rights. She highlighted disturbing arrests tied to its enforcement, stressed that the community has consistently opposed the Ordinance for months, and asked the Council to take the Review Board's recommendation seriously and agendize repeal without delay.
- Terhesa Gamboa, chair of Woodland West Community, shared highlights from their recent Family Fun Day, thanking City staff, law enforcement, and Councilmembers for their support. She announced upcoming community meetings about the Mister Car Wash project and a Neighborhood Watch meeting and concluded by voicing support for keeping the mask mandate in place.
- Julissa, representing the Central Valley BIPOC Coalition, urged the City Council to repeal the mask Ordinance, calling it outdated, discriminatory, and harmful. She cited abusive arrests of community members, including unhoused youth, and stressed the lasting financial and emotional impacts. She also called for reparative action and asked the Council to follow the Review Board's recommendation without delay.
- Cameron Perez, a family medicine resident representing fellow union members, asked the City Council to support fair contract negotiations with VCM. He noted reduced residency slots, poor scheduling practices, and uncompetitive pay that discourage Doctors from staying in Stanislaus County. Perez urged the Council to recognize residents as vital to the community's healthcare future and to back efforts for safer conditions and stronger retention.
- Mary Rodgers, a longtime Modesto resident, urged the City Council to repeal the Mask Ordinance without further surveys, citing the Review Board's thorough recommendation and months of community input. She argued the Ordinance undermines personal freedoms, criticized enforcement tactics, and stressed the urgency of protecting residents' rights to dissent and assemble.
- Steve expressed his belief that the City Council is not supporting true police accountability, accusing them of protecting systemic violence and disrespecting victims' families. He voiced his frustration with the Police Chief's comments at the Community Police Review Board, calling it controlled opposition, and urged the Council to agendize a reexamination of Municipal Code 2302 at the next meeting.
- Nora Garcia, a downtown Modesto resident, supported repealing the mask ban, rejecting safety concerns raised by the Police Chief. She said protests posed less hardship than City actions and police enforcement and argued that upholding the

Ordinance undermines free expression without making downtown safer. She urged the Council to agendaize its repeal promptly.

- Maria Hernandez, Business and Community Development Manager at Stanislaus Equity Partners, announced a business meeting for owners in the 95351-zip code to discuss workforce needs and support for business growth. The meeting will be held Thursday, October 2nd at 5:30 p.m. at the Self-Help Federal Credit Union, with Spanish-language access provided.
- A speaker expressed appreciation for the City Council’s recognition of Hispanic Heritage Month. Using humor, they referenced iconic Latino characters to critique the Modesto anti-mask Ordinance, illustrating how ordinary people lack the means to resist police enforcement and could face arrest for minor actions.
- Lara, a Modesto resident, called on the City Council to repeal the Mask Ordinance, citing its selective enforcement against marginalized groups and its suppression of free speech, warning that continued inaction undermines public trust.
- A speaker urged the City Council to repeal the mask mandate, arguing it enables selective targeting of vulnerable groups, ignores the Police Oversight Committee’s unanimous recommendation, and undermines the Council’s accountability to constituents.
- Madison Condit urged the City Council to place a repeal of the Mask Ordinance on the October 14th agenda, criticizing the Police Chief’s opposition as a power move and emphasizing that the Community Police Review Board’s recommendation reflects the community’s interests.
- Ann Marie, a Modesto resident, demanded that Municipal Code 4.23.02, section 13, be added to the next City Council agenda for repeal, stating that it’s a violation of First Amendment rights and believes its used to target community members at protests. She emphasized the ongoing emotional and practical impact on those affected and urged the Council to act.
- Suzanne Gonzalez, a Modesto resident, urged the repeal of the Mask Ordinance, citing racial disparities in police treatment at protests she attended.
- Jerry Thompson informed the City Council about the Lowrider Holiday on September 27th, highlighting it as a cultural exhibit featuring lowrider cars, mariachi and Aztec dancing, and local Latino artwork, emphasizing its celebration of Latino cultural history.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS: 7-9, 11-13, 15-18 (Bavaro/Alvarez; 7/0)

CONSENT

Consent

7. Consider approving the minutes for the September 9, 2025 Council Meeting. (Funding Source: Not Applicable)

- Motion approving the minutes for the September 9, 2025 Council Meeting.

CITY CLERK; Diane Navares-Perez, 209-577-5396, dnavaresperez@modestogov.com

ACTION: (Bavaro/Alvarez; 7/0) Motion approving the minutes for the September 9, 2025 Council Meeting.

Consent

8. Consider declaring specified City-Owned Properties as Exempt Surplus Land, directing the City Manager or his designee to negotiate the conveyance of such properties in accordance with the Surplus Land Act. (Funding Source: Various Funds)

- Resolution declaring specified City-Owned Properties as Exempt Surplus Land and directing the City Manager or his designee to negotiate the conveyance of such properties in accordance with the Surplus Land Act.

CITY MANAGER; Scotty Douglass, 209-571-5571, sbhangoo@modestogov.com

ACTION: (Bavaro/Alvarez; 7/0) Resolution 2025-334 declaring specified City-Owned Properties as Exempt Surplus Land and directing the City Manager or his designee to negotiate the conveyance of such properties in accordance with the Surplus Land Act.

Consent

9. Consider approving a First Amendment to the Agreements with Bender Rosenthal Inc., Thompson & Thompson Real Estate Valuation and Consulting Inc and Hulberg & Associates dba Valbridge Property Advisors for Commercial and Residential Real Estate Appraisal Services increasing the Agreement amounts by \$17,000 each. (Funding Source: Various Funds)

- Resolution approving a First Amendment to the Agreements with Bender Rosenthal Inc., Thompson & Thompson Real Estate Valuation and Consulting Inc and Hulberg & Associates dba Valbridge Property Advisors for Commercial and Residential Real Estate Appraisal Services, increasing the Agreement amounts by \$17,000 for each consultant and a revised combined total amount not to exceed \$150,000 over three years and authorizing the City Manager, or his designee, to execute the Amendments.

CITY MANAGER; Scotty Douglass, 209-571-5571, sdouglass@modestogov.com

ACTION: (Bavaro/Alvarez; 7/0) Resolution 2025-335 approving a First Amendment to the Agreements with Bender Rosenthal Inc., Thompson & Thompson Real Estate Valuation and Consulting Inc and Hulberg & Associates dba Valbridge Property Advisors for Commercial and Residential Real Estate Appraisal Services, increasing the Agreement amounts by \$17,000 for each consultant and a revised combined total amount not to exceed \$150,000 over three years and authorizing the City Manager, or his designee, to execute the Amendments.

Removed from Consent

10. Consider approving a First Amendment and Reinstatement of the Letter of Intent between the United Soccer League, LLC and the City of Modesto to extend an exclusive negotiating period to March 10, 2026. (Funding Source: General Fund)
- Resolution approving a First Amendment and Reinstatement of the Letter of Intent between the United Soccer League, LLC and the City of Modesto, and authorizing the City Manager, or his designee, to execute the Amendment and Reinstatement the Letter.

CED; Taranjot Khehra, 209-577-5239, tkhehra@modestogov.com

ACTION: (Wright/Escutia-Braaton; 7/0) Resolution 2025-336 approving a First Amendment and Reinstatement of the Letter of Intent between the United Soccer League, LLC and the City of Modesto, and authorizing the City Manager, or his designee, to execute the Amendment and Reinstatement the Letter.

Consent

11. Consider approving Section 26 National Standards for the Physical Inspection of Real Estate (NSPIRE) of the Housing and Urban Development Policies and Procedures Manual. (Funding Source: HOME Investment Partnership Program and Emergency Solutions Grant)
- Resolution approving Section 26 (National Standards for the Physical Inspection of Real Estate (NSPIRE)) of the Housing and Urban Development Policies and Procedures Manual.

CED; Edgar Garcia, 209-571-5101, edgarcia@modestogov.com

ACTION: (Bavaro/Alvarez; 7/0) Resolution 2025-337 approving Section 26 (National Standards for the Physical Inspection of Real Estate (NSPIRE)) of the Housing and Urban Development Policies and Procedures Manual.

Consent

12. Consider approving the First Amendment to an Agreement with Management Advisory Services (Auburn, CA) for On-Call Planning Consultation and Support, increasing the Agreement by \$76,000. (Funding Source: General Fund)
- Resolution approving the First Amendment to an Agreement with Management Advisory Services for Planning Consultation and Support, increasing the Agreement amount by \$76,000 from \$95,000 to a new total not to exceed \$171,000 and authorizing the City Manager, or his designee, to execute the Amendment.

CED; Leslie Danhoff, 209-577-5429, ldanhoff@modestogov.com

ACTION: (Bavaro/Alvarez; 7/0) Resolution 2025-338 approving the First Amendment to an Agreement with Management Advisory Services for Planning Consultation and Support, increasing the Agreement amount by \$76,000 from \$95,000 to a new total not to exceed \$171,000 and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

13. Consider approving the increase of a Purchase Order by \$1,535 with Park Planet of Red Bluff, CA for the Purchase and Delivery of a Sensory Wall for The Awesome Spot Playground at Beyer Community Park for a revised total amount not to exceed \$173,935. (Funding Source: Various Funds)

- Resolution approving the increase of a Purchase Order with Park Planet of Red Bluff, CA, for the Purchase and Delivery of a Sensory Wall for The Awesome Spot Playground at Beyer Community Park by \$1,535 from \$172,400, for a revised total amount not to exceed \$173,935; and authorizing the Purchasing Manager, or her designee to update the Purchase Order.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Bavaro/Alvarez; 7/0) Resolution 2025-339 approving the increase of a Purchase Order with Park Planet of Red Bluff, CA, for the Purchase and Delivery of a Sensory Wall for The Awesome Spot Playground at Beyer Community Park by \$1,535 from \$172,400, for a revised total amount not to exceed \$173,935; and authorizing the Purchasing Manager, or her designee to update the Purchase Order.

Removed from Consent

14. Consider approving a report on Fiscal Year 2024-2025 unclaimed funds of \$24,060 that can be transferred to the General Fund. (Funding Source: General Fund)

- Resolution approving Fiscal Year 2024-2025 unclaimed funds of \$24,060 held in the City's Trust Fund for more than three years and authorizing the transfer to the General Fund.

FINANCE DEPARTMENT; Vanessa Ferrel, 209-571-5174, vferrel@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-340 approving Fiscal Year 2024-2025 unclaimed funds of \$24,060 held in the City's Trust Fund for more than three years and authorizing the transfer to the General Fund.

Consent

15. Consider approving the Fiscal Year 2024-25 Write-off and Adjustments Reports through Fiscal Year-end June 30, 2025, in the total amount of \$459,603. (Funding Source: Various Funds)

- Resolution approving the 2024-2025 Write-Off and Adjustments Reports through Fiscal Year end June 30, 2025, in the total amount of \$459,603 and directing a report of disposition to be filed with the City Clerk.

FINANCE DEPARTMENT; Vanessa Ferrel, 209-571-5174, vferrel@modestogov.com

ACTION: (Bavaro/Alvarez; 7/0) Resolution 2025-341 approving the 2024-2025 Write-Off and Adjustments Reports through Fiscal Year end June 30, 2025, in the total amount of \$459,603 and directing a report of disposition to be filed with the City Clerk.

Consent

16. Consider approving a report detailing City personal property sold, donated, or disposed of during Fiscal Year 2024-25. (Funding Source: Various Funds)

- Motion accepting the report detailing City personal property sold, donated, or disposed of during Fiscal Year 2024-25.

FINANCE DEPARTMENT; Vanessa Ferrel, 209-571-5174, vferrel@modestogov.com

ACTION: (Bavaro/Alvarez; 7/0) Motion accepting the report detailing City personal property sold, donated, or disposed of during Fiscal Year 2024-25.

Consent

17. Consider accepting an Informational Report on the May and June 2025 Grant Applications and Awards. (Funding Source: Not Applicable)

- Motion accepting an Informational Report for May and June 2025 Grant Applications and Awards.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Bavaro/Alvarez; 7/0) Motion accepting an Informational Report for May and June 2025 Grant Applications and Awards.

Consent

18. Consider accepting an Informational Report for the July 2025 Accounts Payable Payment Register and Void Report. (Funding Source: Not Applicable)

- Motion accepting an Informational Report for the July 2025 Accounts Payable Payment Register and Void Report.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Bavaro/Alvarez; 7/0) Motion accepting an Informational Report for the July 2025 Accounts Payable Payment Register and Void Report.

Removed from Consent

19. Consider approving the purchase for one Fleet Addition for one Armored Vehicle for the Modesto Police Department in a total amount not to exceed \$526,154. (Funding Source: Measure H and Supplemental Law Enforcement Services Fund (SLESF) Funds)

- Resolution approving the Competitive Bidding Process from State of Iowa to Lenco Armored Vehicles, Pittsfield, ME for the purchase of one Armored Vehicle for an amount not to exceed \$425,730 plus \$36,564 in taxes and fees to be paid directly to the state; and authorizing the Director of Finance, or her designee, to issue the Purchase Order; and authorizing the Director of Finance or her designee to execute any Change Orders not to exceed 15% of the total purchase price.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Escutia-Braaton/Wright; 7/0) Resolution 2025-342 approving the Competitive Bidding Process from State of Iowa to Lenco Armored Vehicles, Pittsfield, ME for the purchase of one Armored Vehicle for an amount not to exceed \$425,730 plus \$36,564 in taxes and fees to be paid directly to the state; and authorizing the Director of Finance, or her designee, to issue the Purchase Order; and authorizing the Director of Finance or her designee to execute any Change Orders not to exceed 15% of the total purchase price.

Recessed at 7:33 P.M.

Reconvened at 7:38 P.M.

COUNCIL COMMENTS & REPORTS

- Council Member Alvarez highlighted recent and upcoming community events, including the El Concilio Honors and Tributes Gala and the West Modesto Community Collaborative’s Strength and Unity Gala, which supports free mental health services for the West Side community.
- Council Member Ricci promoted community involvement in planning the old courthouse site, advocating for a warehouse-style market, called for transparency from Stanislaus Animal Services regarding veterinary spending, and encouraged attendance at the Lowrider Holiday in downtown Modesto on September 27th, highlighting cultural activities and family-friendly events.
- Council Member Escutia-Braaton recapped attending the 9/11 Station One commemoration and the Modesto Garden Club’s Blue Star Memorial dedication and highlighted her role as immediate past president of the Central Valley Division of the California League of Cities, emphasizing regional collaboration and advocacy for Central Valley municipalities.
- Council Member Williams highlighted the Boys and Girls State delegates event hosted by American Legion Post 74, recognizing student participants, and presenting certificates. He also announced the upcoming Ann Endsley’s Citizen of the Year and former Council Member Brad Hahn’s Community Hero awards on January 10th at the Veterans Center.
- Mayor Zwahlen highlighted recent community engagement, including meetings with Opera Modesto leadership, attending the Creating Hope and Opportunity Apprentice Training program, speaking to students at Enochs High School, participating in an employee appreciation and wellness event, supporting the Pioneer League baseball, addressing a Soroptimist meeting, and touring the Aim Day program for individuals with special needs.

CITY MANAGER COMMENTS & REPORTS

None.

UNFINISHED BUSINESS

20. Consider approving the Plans and Specifications for the 9th Street Corridor Improvement Project, accepting the Bid and Awarding a Contract to United Pavement Maintenance, Inc., of Hughson, CA, for a total amount not to exceed \$14,699,812; approving an Agreement with TRC Engineers, Inc., of Lathrop, CA, for Construction Management Services, Inspection and Materials Testing Services for a total amount not to exceed \$1,089,968. (Funding Source: Affordable Housing and Sustainable Communities (AHSC) Grant Funds and Local Measure L Funds)
- Resolution approving the Plans and Specifications for the 9th Street Corridor Improvement Project, accepting the Bid and Awarding a Contract to United Pavement Maintenance, Inc., of Hughson, CA, in the amount of \$13,363,465, and authorizing Change Orders up to the cumulative amount of \$1,336,347, for a total Agreement amount not to exceed \$14,699,812, and authorizing the City Manager, or his designee, to execute the Contract.
 - Resolution approving an Agreement with TRC Engineers, Inc., of Lathrop, CA for Construction Management and Inspection Services for the 9th Street Corridor Improvement Project in an amount not to exceed \$990,880, plus \$99,088 for additional services, if needed, for a total amount not to exceed \$1,089,968, and authorizing the City Manager, or his designee, to execute the Agreement.
 - Resolution amending the Fiscal Year 2025-26 Annual Operating and Capital Improvement Project fund budgets to increase the revenue, expenditures, and transfers for Project #101295 in the amount of \$6,500,000 to appropriate the additional funds for the 9th Street Corridor Improvement Project and authorizing the City Manager, to take the necessary steps to implement the provisions of this resolution.

ENGINEERING SERVICES; Michael Sacuskie, 209-571-5552, msacuskie@modestogov.com

ACTION: (Ricci/Alvarez; 7/0) Resolution 2025-343 approving the Plans and Specifications for the 9th Street Corridor Improvement Project, accepting the Bid and Awarding a Contract to United Pavement Maintenance, Inc., of Hughson, CA, in the amount of \$13,363,465, and authorizing Change Orders up to the cumulative amount of \$1,336,347, for a total Agreement amount not to exceed \$14,699,812, and authorizing the City Manager, or his designee, to execute the Contract.

ACTION: (Ricci/Alvarez; 7/0) Resolution 2025-344 approving an Agreement with TRC Engineers, Inc., of Lathrop, CA for Construction Management and Inspection Services for the 9th Street Corridor Improvement Project in an amount not to exceed \$990,880, plus \$99,088 for additional services, if needed, for a total amount not to exceed \$1,089,968, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Ricci/Alvarez; 7/0) Resolution 2025-345 amending the Fiscal Year 2025-26 Annual Operating and Capital Improvement Project fund budgets to increase the revenue, expenditures, and transfers for Project #101295 in the amount of \$6,500,000 to appropriate the additional funds for the 9th Street Corridor Improvement Project and authorizing the City Manager, to take the necessary steps to implement the provisions of this resolution.

HEARINGS

Published in the Modesto Bee on September 7, 2025.

21. Hearing to approve the City of Modesto's Consolidated Annual Performance Evaluation Report for Program Year 2024-2025. (Funding Source: Community Development Block Grant, Emergency Solutions Grant, HOME Investment Partnerships Funds and HOME American Rescue Plan allocation (HOME ARP))
- Resolution approving the City of Modesto's Consolidated Annual Performance Evaluation Report for Program Year 2024-2025 and authorizing the City Manager, or his designee, is hereby authorized to sign any required certifications and documents for submittal to the U.S. Department of Housing and Urban Development.

CED; Edgar Garcia, 209-571-5101, edgarcia@modestogov.com

ACTION: (Williams/Escutia-Braaton; 7/0) Resolution 2025-346 approving the City of Modesto's Consolidated Annual Performance Evaluation Report for Program Year 2024-2025 and authorizing the City Manager, or his designee, is hereby authorized to sign any required certifications and documents for submittal to the U.S. Department of Housing and Urban Development.

NEW BUSINESS

22. Consider approving the Plans and Specifications for River Trunk Realignment – Pump Station Project accepting the Bid and Awarding a Construction Contract to Shimmick Construction Company, Inc, of Irvine, CA, in the amount of \$115,560,000, authorizing 10% in contingency (if needed), for a total payment amount not to exceed \$127,116,000; approving an Agreement with West Yost Associates for Construction Management Services in the amount of \$8,500,000, plus \$850,000 in additional services (if needed), for a total amount not to exceed \$9,350,000; approving an Agreement with Carollo Engineers for Engineering Support During Construction in the amount of \$5,675,000 plus \$567,500 in additional services (if needed), for a total amount not to exceed \$6,242,500; approving the issuance of Wastewater Revenue Bonds, Series 2025 in a not to exceed aggregate principal amount of \$60,000,000 to finance the construction of the River Trunk Realignment – Pump Station Construction Project and amending the Fiscal Year 2025-26 Capital Improvement Project Program Budget in the amount of \$132,560,000, for a total anticipated construction cost of \$143,900,000. (Funding Source: Wastewater Fund and Bonds)

- Resolution approving the Plans and Specifications for the River Trunk Realignment – Pump Station Project; accepting the Bid and Awarding a Construction Contract to Shimmick Construction Company, Inc, of Irvine, CA, in the amount of \$115,560,000, authorizing the Director of Engineering Services to approve Change Orders up to the cumulative amount of \$11,556,000, 10% of the original Contract price, for a total payment amount not to exceed \$127,116,000 and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution approving an Agreement with West Yost Associates, of Davis, CA, for Construction Management Services for the River Trunk Realignment – Pump Station Project in an amount not to exceed \$8,500,000 for the identified scope of services, plus \$850,000 for additional services (if needed), for a total amount not to exceed \$9,350,000, and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution approving an Agreement with Carollo Engineers Inc., of Walnut Creek, CA, for Engineering Support During Construction for the River Trunk Realignment – Pump Station Project, in an amount not to exceed \$5,675,000 for the identified scope of services, plus \$567,500 for additional services (if needed), for a total amount not to exceed \$6,242,500 and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution amending the fiscal year 2025-26 Capital Improvement Program budget in the amount of \$132,560,000 to be transferred into the project from Wastewater Reserves to fully fund the construction, contingency, construction administration and design support during construction for the River Trunk Realignment – Pump Station Project and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.
- Resolution authorizing the issuance of not to exceed \$60,000,000 principal amount of Wastewater Revenue Bonds, Series 2025, authorizing and directing execution of a Sixth Supplemental Wastewater Revenue Bond Indenture pursuant to which such bonds are issued, approving a Bond Purchase Agreement, an Official Statement and a Continuing Disclosure Agreement, and authorizing other official actions to execute the bond issuance.

UTILITIES; William Wong, 209-571-5801, wwong@modestogov.com

ACTION: (Wright/Williams; 6/1; Ricci Noes) Resolution 2025-347 approving the Plans and Specifications for the River Trunk Realignment – Pump Station Project; accepting the Bid and Awarding a Construction Contract to Shimmick Construction Company, Inc, of Irvine, CA, in the amount of \$115,560,000, authorizing the Director of Engineering Services to approve Change Orders up to the cumulative amount of \$11,556,000, 10% of the original Contract price, for a total payment amount not to exceed \$127,116,000 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Escutia-Braaton/Wright; 6/1; Ricci Noes) Resolution 2025-348 approving an Agreement with West Yost Associates, of Davis, CA, for Construction Management Services for the River Trunk Realignment – Pump Station Project in an

amount not to exceed \$8,500,000 for the identified scope of services, plus \$850,000 for additional services (if needed), for a total amount not to exceed \$9,350,000, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Williams/Escutia-Braaton; 6/1; Ricci Noes) Resolution 2025-349 approving an Agreement with Carollo Engineers Inc., of Walnut Creek, CA, for Engineering Support During Construction for the River Trunk Realignment – Pump Station Project, in an amount not to exceed \$5,675,000 for the identified scope of services, plus \$567,500 for additional services (if needed), for a total amount not to exceed \$6,242,500 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Wright/Zwahlen; 6/1; Ricci Noes) Resolution 2025-350 amending the fiscal year 2025-26 Capital Improvement Program budget in the amount of \$132,560,000 to be transferred into the project from Wastewater Reserves to fully fund the construction, contingency, construction administration and design support during construction for the River Trunk Realignment – Pump Station Project and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

ACTION: (Williams/Wright; 6/1; Ricci Noes) Resolution 2025-351 authorizing the issuance of not to exceed \$60,000,000 principal amount of Wastewater Revenue Bonds, Series 2025, authorizing and directing execution of a Sixth Supplemental Wastewater Revenue Bond Indenture pursuant to which such bonds are issued, approving a Bond Purchase Agreement, an Official Statement and a Continuing Disclosure Agreement, and authorizing other official actions to execute the bond issuance.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 8:32 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

All Closed Session Matters Heard Prior to the Meeting

CLOSED SESSION

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
(Pursuant to Section 54956.9(d)(2) of the Government Code)

Letters from the American Civil Liberties Union Foundation and the First Amendment Coalition regarding Modesto Municipal Code Section 4-23.02 related to restrictions on use of specified items during public assembly.

Pulled from Agenda

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

Property: 1000 L. Street, Modesto CA 95354; APN 105-048-011

Property Owners: Modesto Redevelopment Successor Agency

Negotiating Parties:

For City: Joseph P. Lopez, City Manager

For Lessee: Westmont Hospitality Group

Under Negotiation: Terms of Lease

MINUTES
City of Modesto
SAFETY AND COMMUNITIES COMMITTEE
COUNCIL WORKSHOP
2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, October 13, 2025 at 4:00 PM

Roll Call: Present: Vice-Chair Ricci, Alternate Committee Member Alvarez and Zwahlen
Absent: Committee Member Escutia-Braaton, Chair Williams

PUBLIC COMMENT PERIOD

- Tim Ragsdale expressed concerns regarding the increased use of e-bikes and e-scooters in parks and on trailways, particularly along the Virginia Corridor. He referenced injury statistics dating back to 2017 to highlight the growing safety risks associated with their use. The speaker noted that some e-bike riders may engage in unsafe behaviors, including riding without helmets, operating under the influence, speeding, and occasional collisions with pedestrians. He recommended the installation of additional signage indicating that e-bikes and e-scooters are not permitted on the trails, as well as the implementation of enhanced safety education efforts.

COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS: 1-4 (Zwahlen/Alvarez; 3/0)

CONSENT

Consent

1. Consider an Agreement with Callander Associates to prepare conceptual design for the Pelandale Streetscape Improvement Project for a total amount not to exceed \$327,543 and forwarding to Council for approval. (Funding Source: Measure H)
 - Motion recommending an Agreement with Callander Associates, of Gold River, CA, to prepare conceptual design for the Pelandale Streetscape Improvement Project in the amount of \$297,766, plus \$29,777, if needed, for an Agreement total amount not to exceed \$327,543 and forwarding to Council for approval.
ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestgov.com

ACTION: (Zwahlen/Alvarez; 3/0) Motion recommending an Agreement with Callander Associates, of Gold River, CA, to prepare conceptual design for the

Pelandale Streetscape Improvement Project in the amount of \$297,766, plus \$29,777, if needed, for an Agreement total amount not to exceed \$327,543 and forwarding to Council for approval.

Consent

2. Consider an Agreement for Sidewalk Assessment and Repair Services with Precision Concrete Cutting, of Oakland, CA, for a total amount not to exceed \$1,670,990 over five years and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending an Agreement with Precision Concrete, of Oakland, CA., by utilizing the Competitive Bid Process with The Interlocal Purchasing System (TIPS), for Sidewalk Assessment and Sidewalk Repair Services for a two-year Agreement with three one-year extension options, for an estimated annual amount of \$334,198, and a total amount not to exceed \$1,670,990, over five years and forwarding to Council for approval.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Zwahlen/Alvarez; 3/0) Motion recommending an Agreement with Precision Concrete, of Oakland, CA., by utilizing the Competitive Bid Process with The Interlocal Purchasing System (TIPS), for Sidewalk Assessment and Sidewalk Repair Services for a two year Agreement with three one-year extension options, for an estimated annual amount of \$334,198, and a total amount not to exceed \$1,670,990, over five years and forwarding to Council for approval.

Consent

3. Consider an Ordinance repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code amending the City’s Fire Code to adopt the 2025 California Fire Code and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion considering an Ordinance repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code amending the City’s Fire Code to adopt the 2025 California Fire Code and forwarding to Council for approval.

FIRE DEPARTMENT; David Bickle, 209-571-5553, dbickle@modestofire.com

ACTION: (Zwahlen/Alvarez; 3/0) Motion considering an Ordinance repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code amending the City’s Fire Code to adopt the 2025 California Fire Code and forwarding to Council for approval.

Consent

4. Consider an Agreement with Honeywell International, Inc. DBA US Digital Designs by Honeywell Tempe, Arizona for Software Maintenance and Hardware Repair Services for the Phoenix G2 Fire Station Alerting System total amount not to exceed \$359,662 over five years and forwarding to Council for approval. (Funding Source: General Fund)
 - Motion recommending an Agreement with Honeywell International, Inc. DBA US Digital Designs by Honeywell Tempe, Arizona for Software Maintenance and Hardware Repair Services for the Phoenix G2 Fire Station Alerting System

for a five-year Agreement in an estimated amount of \$342,535 with a 5% contingency in the amount of \$17,127 for an estimated total amount not to exceed \$359,652 and forwarding to Council for approval.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Zwahlen/Alvarez; 3/0) Motion recommending an Agreement with Honeywell International, Inc. DBA US Digital Designs by Honeywell Tempe, Arizona for Software Maintenance and Hardware Repair Services for the Phoenix G2 Fire Station Alerting System for a five-year Agreement in an estimated amount of \$342,535 with a 5% contingency in the amount of \$17,127 for an estimated total amount not to exceed \$359,652 and forwarding to Council for approval.

UNFINISHED BUSINESS

5. Presentation of the High Voltage Circuit Project. (Funding Source: Not Applicable)

- Presentation of the High Voltage Circuit Project.

PUBLIC WORKS; Kevin Pierce, 209-342-2297, kpierce@modestogov.com

ACTION: No Action Taken – Presentation

ADJOURNMENT

This meeting adjourned at 4:17 P.M.

Attest: _____
Dana Sanchez, Assistant City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, October 14, 2025 at 5:30 PM

Special City Council – Closed Session Meeting 3:30 p.m.

Roll Call - Present: Councilmembers Alvarez (Arrived at 3:32pm), Bavaro, Escutia-Braaton, Ricci (Arrived at 3:35pm), Williams (Arrived at 3:31pm), Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting 5:30 p.m.

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: Pastor Pat Nagle, Redeemer Church

City Clerk’s Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: No Reportable Action

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring October 19th - 25th as Respiratory Care Week. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented a proclamation declaring October 19th - 25th as Respiratory Care Week.

2. Recognition of MJC Women's Track and Field Team, 2025 NorCal Champions and the State Champions, and Head Coach Brian Beeman, State Coach of the Year. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented Certificates in Recognition of MJC Women's Track and Field Team, 2025 NorCal Champions and the State Champions, and Head Coach Brian Beeman, State Coach of the Year.

3. Unit Commendation for Extraordinary Field Save by Fire Engine 29. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented Certificates of Commendation for Extraordinary Field Save by Fire Engine 29.

MISCELLANEOUS

4. Consider accepting the resignation of David Barber from the Citizen's Housing and Community Development Committee. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of David Barber from the Citizen's Housing and Community Development Committee.

CED; Edgar Garcia, 209-571-5101, edgarcia@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-352 accepting the resignation of David Barber from the Citizen's Housing and Community Development Committee.

5. Consider accepting the resignation of Jennifer Anne Aoyama Valenzuela from the Entertainment Commission. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of Jennifer Anne Aoyama Valenzuela from the Entertainment Commission.

CED; Jessica Hill, 209-577-5321, jhill@modestogov.com

ACTION: (Escutia-Braaton/Alvarez; 7/0) Resolution 2025-353 accepting the resignation of Jennifer Anne Aoyama Valenzuela from the Entertainment Commission.

6. Consider accepting the resignation of Helda Paules from the Visit Modesto Board of Directors and approving the appointment of Kelly Tallant to fill the partial unexpired term ending December 31, 2025 followed by a full four-year term from January 1, 2026 to December 31, 2029. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of Helda Paules from the Visit Modesto Board of Directors and approving the appointment of Kelly Tallant to fill the partial unexpired term ending December 31, 2025 followed by a full four-year term from January 1, 2026 to December 31, 2029.

CED; Katherine Bakus, 209-571-5566, kbakus@modestogov.com

ACTION: (Ricci/Wright; 7/0) Resolution 2025-354 accepting the resignation of Helda Paules from the Visit Modesto Board of Directors and approving the

appointment of Kelly Tallant to fill the partial unexpired term ending December 31, 2025 followed by a full four-year term from January 1, 2026 to December 31, 2029.

7. Consider approving the extension of the current two-year terms for Behzad (Bert) Tabrizi, Rodney Cordova, and Chad Hilligus to four-year terms on the Visit Modesto Board of Directors, retroactive to January 1, 2023 through December 31, 2026; and for Chris Murphy, Pervez Khan, and Angela Cangiamilla, retroactive to January 1, 2024 through December 31, 2027. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the extension of the current two-year terms for Behzad (Bert) Tabrizi, Rodney Cordova, and Chad Hilligus to four-year terms on the Visit Modesto Board of Directors, retroactive to January 1, 2023 through December 31, 2026; and for Chris Murphy, Pervez Khan, and Angela Cangiamilla, retroactive to January 1, 2024 through December 31, 2027.

CED; Katherine Bakus, 209-571-5566, kbakus@modestogov.com

ACTION: (Williams/Escutia-Braaton; 7/0) Resolution 2025-355 approving the extension of the current two-year terms for Behzad (Bert) Tabrizi, Rodney Cordova, and Chad Hilligus to four-year terms on the Visit Modesto Board of Directors, retroactive to January 1, 2023 through December 31, 2026; and for Chris Murphy, Pervez Khan, and Angela Cangiamilla, retroactive to January 1, 2024 through December 31, 2027.

8. Consider approving the appointment of Erick Winchester as Financial Institution Representative and Cynthia Frazee as Citizen-at-Large to the Housing Rehabilitation Loan Committee (HRLC), with a four-year term beginning in November 2025 with a term expiration of December 31, 2029. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointment of Erick Winchester as Financial Institution Representative and Cynthia Frazee to the Housing Rehabilitation Loan Committee (HLRC), with a term expiration of December 31, 2029.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Alvarez/Williams; 7/0) Resolution 2025-356 approving the appointment of Erick Winchester as Financial Institution Representative and Cynthia Frazee to the Housing Rehabilitation Loan Committee (HLRC), with a term expiration of December 31, 2029.

9. Consider approving the reappointment of Hans Hauselmann to the City of Modesto Planning Commission with a term expiring December 31, 2029 (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution reappointing Hans Hauselmann to the City of Modesto Planning Commission with a term expiring December 31, 2029

CED; Jessica Hill, 209-577-5267, jhill@modestogov.com

ACTION: (Wright/Ricci; 7/0) Resolution 2025-357 reappointing Hans Hauselmann to the City of Modesto Planning Commission with a term expiring December 31, 2029

- 10. Consider approving the reappointment of Theodore Mills and the appointment of Analisa Freitas to the Measure L Citizen’s Transportation Sales Tax Commission for a four-year term from October 14, 2025, to June 30, 2029. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the reappointment of Theodore Mills and the appointment of Analisa Freitas to the Measure L Citizen’s Transportation Sales Tax Commission for a four-year term from October 14, 2025, to June 30, 2029.

ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Ricci/Alvarez; 7/0) Resolution 2025-358 approving the reappointment of Theodore Mills and the appointment of Analisa Freitas to the Measure L Citizen’s Transportation Sales Tax Commission for a four-year term from October 14, 2025, to June 30, 2029.

- 11. Consider approving the appointment of Magdalena Siordia Tapia, Gurnoor Jhatu, Jacob Lopez, Eden Chen, Karla Enriquez, Lavanya Bansal, Raiden Manabat, and Sade Diaz Martinez and reappointment of Sabrina Toor and Martin Montez to the Modesto Youth Commission for a two-year term with an expiration date of August 31, 2027. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointment of Magdalena Siordia Tapia, Gurnoor Jhatu, Jacob Lopez, Eden Chen, Karla Enriquez, Lavanya Bansal, Raiden Manabat, and Sade Diaz Martinez to the City of Modesto Youth Commission for a two-year term with an expiration date of August 31, 2027.
- Resolution approving the reappointments of Sabrina Toor and Martin Montez to the City of Modesto Youth Commission for a two-year term with an expiration date of August 31, 2027.

PRN; John Skeel, 209-577-5216, jskeel@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-359 approving the appointment of Magdalena Siordia Tapia, Gurnoor Jhatu, Jacob Lopez, Eden Chen, Karla Enriquez, Lavanya Bansal, Raiden Manabat, and Sade Diaz Martinez to the City of Modesto Youth Commission for a two-year term with an expiration date of August 31, 2027.

ACTION: (Wright/Williams; 7/0) Resolution 2025-360 approving the reappointments of Sabrina Toor and Martin Montez to the City of Modesto Youth Commission for a two-year term with an expiration date of August 31, 2027.

PUBLIC COMMENT PERIOD

- Ryann Hall, Communications Director of Cal Pride, urged the Council to reconsider the Mask Ordinance, noting ongoing public opposition and concerns that it is legally vulnerable, costly to enforce, and unnecessary.
- Betty Santos, a lifelong Modesto resident, provided an update on the Modesto High lowrider project. Now in its third week, the project engages students in hands-on learning as they work to convert a former police car into a lowrider, guided by mentors including Mingo Perez. Santos highlighted the students' enthusiasm and the educational value of the experience.
- Tina Perez-Tateo shared that since the 2023 repeal of the cruising ban, the Modesto High lowrider project has kept volunteers busy. She highlighted the students' hands-on engagement and excitement, noting they will soon be featured on Channel 13 News.
- Lucas thanked the Council and Mayor for their work and raised traffic safety concerns. He suggested installing speed and red-light cameras at specific Modesto intersections and plans to contact State representatives to explore legal options for implementing them.
- Danielle Morgart from Assemblyman Juan Alanis's Office provided a legislative update, reporting that the Governor signed two bills: AB 16, which allows earlier processing of vote-by-mail ballots to speed election results, and AB 310, which requires youth sports organizations to have emergency response plans and ensure coaches are CPR and AED certified.
- George Edgerman spoke about housing difficulties his family is facing. He described being threatened with eviction due to his daughter visiting his partner, who is battling cancer, and requested the City's help in addressing the situation to prevent further hardship and potential homelessness.
- Cameron Perez a resident doctor at Paradise Clinic, raised concerns about unsafe scheduling and staff reductions under Golden Valley Health Centers. He emphasized that sleep deprivation among residents is affecting patient care and urged the City Council to support efforts to implement safe scheduling practices.
- Terhesa Gamboa a neighborhood watch coordinator, urged the Council to maintain the Mask Ordinance for public protests. She argued that protesters should be identifiable in public, while law enforcement officers may choose to wear masks for safety and noted community support for keeping the Ordinance in place.
- Juan Telles shared two upcoming community events. The first is the *Future Starts with Us Youth Summit*, focusing on mental health, adult readiness, and leadership, featuring panels, keynote speakers, and student-led discussions. The second is *Dev Fest*, a tech-focused event aimed at positioning the Central Valley as a hub for innovation, networking, and technology development.

- Celia Garcia Perez urged the City Council to repeal Modesto Municipal Code 4-2302(13), following a 7-to-1 recommendation from the Community Police Review Board. She argued the Ordinance is unconstitutional, discriminatory, and exposes the City to costly legal challenges, emphasizing the need to prioritize community needs over unnecessary enforcement.
- Julianne Phillips the new District Representative for Senator Marie Alvarado-Gil, introduced herself and provided a legislative update. She highlighted the Senator's efforts to secure pay parity for Cal Fire employees through AB 1309 and shared that the senator remains active in the district with community engagement and mobile office hours.
- Brandon Fenley a local business owner, expressed support for maintaining the mask mandate in Modesto. He noted the City's challenges with property crime and public safety and emphasized the need for community stability while remaining open to discussion.
- Harlan Diven praised the City's support for shelters like Aces, advocating for inclusive, non-emergency, harm-reduction policies. They also warned that the Mask Ordinance likely violates the First Amendment and could result in costly legal challenges, urging the City to reconsider.
- Sunny Singh, a resident doctor at Paradise Clinic, highlighted staffing cuts following Golden Valley's takeover of county clinics, which reduce physician numbers from 36 to 24 and increase resident workloads. Singh stressed that these changes risk patient care and physician well-being, urging the City to support efforts for safe scheduling and retaining doctors in Modesto.
- Amandeep Songhera, a resident doctor at Paradise Clinic, raised concerns about unsafe scheduling and staffing cuts following Golden Valley's takeover, which have led to 24-hour shifts, insufficient recovery time, and sleep deprivation. He emphasized that these conditions threaten patient care and urged support for retaining and attracting physicians in Modesto.
- Michael Wood, a Modesto resident, spoke in support of maintaining the face mask ban for protests. He argued that requiring protesters to be visible promotes accountability and aids law enforcement, emphasizing that First Amendment rights do not include anonymity while protesting.
- Anne Marie, a Modesto resident, urged the City Council to repeal Municipal Code 4-23.02(13), which prohibits covering faces at protests. She cited multiple instances of unconstitutional enforcement, support from human rights organizations, and the existence of state law already addressing masked criminal activity, warning that failure to act could result in costly litigation.

- Steve addressed the City Council regarding past arrests, noting that charges against him were dropped. He raised concerns about Councilmember statements on Latino identity and expressed that the Council should focus on public safety and equitable representation for all community members.
- Anthony Drobnick, a lifelong Modesto resident, urged the City Council to repeal the Mask Ordinance, citing its unconstitutionality and the risk of costly litigation. He emphasized that community surveys cannot resolve the legal issues and warned that continued enforcement could divert funds from other City priorities.
- Avonelle Tomlinson addressed the City Council, asserting that the Mask Ordinance is unconstitutional and disproportionately affects people of color. They urged the Council to prioritize funding for unhoused shelters over defending the Ordinance in court and called for its repeal.
- A speaker who was previously arrested under the Mask Ordinance urged the City Council to repeal it, citing constitutional concerns and the potential for a costly lawsuit. They emphasized they do not wish to sue the City but want it to act in the community's best interest and uphold empathy and responsibility in governance.
- Diana Brazil, representing Indivisible Modesto, urged the City Council to repeal or amend the Mask Ordinance, citing its impact on free speech, previous arrests, and potential legal costs. She emphasized the need for policies that protect public safety and civil liberties, particularly for protesters.
- A speaker addressed the Council, criticizing the Police Department's approach to oversight and the Mask Ordinance. They stated that law enforcement resists accountability and public criticism, framing community input as filtered or limited, and suggested that the department prioritizes compliance over transparency and responsiveness to concerns.
- Sarah, a Modesto resident, urged the City Council to repeal the Mask Ordinance, citing its unconstitutionality, potential for discriminatory enforcement, and risk of costly litigation.
- Efren Diaz, a Central Valley BIPOC organizer, called on the City Council to repeal Modesto Municipal Code 4-23.02(13), citing selective enforcement against protesters of color and the Ordinance's suppression of free speech. He also expressed support for healthcare workers advocating for better working conditions at Golden Valley.
- Nora, a Modesto resident, criticized the City Council for delaying action on repealing Modesto City Ordinance 4-23.02, highlighting selective enforcement by MPD and the Ordinance's constitutional issues. She warned that continued inaction wastes taxpayer resources that could be better spent on community programs, housing, and public safety.

- Madison Condit, a Modesto resident, criticized the City Council for claiming insufficient community input on the Mask Ordinance. She emphasized that residents show up after work to voice concerns, highlighted the Ordinance’s sudden and confusing enforcement, and urged the Council to respect residents’ right to protest without criminalizing mask-wearing.
- Darlene Ruiz, a Modesto resident, and long-time protester urged the Council to repeal the Mask Ordinance. She noted that previous masked protests occurred without incident, questioned selective enforcement, and warned that continuing the Ordinance could lead to legal challenges. She emphasized the need for the Council to act on the Community Police Review Board’s recommendation and prioritize residents’ rights.
- Kevin McClarty questioned the officer-safety rationale for the Mask Ordinance, noting that individuals committing serious crimes are unlikely to attend public protests. He recommended showing video of the June protest and arrests at the next public meeting to provide context and encourage meaningful public comment, including via Zoom.
- A speaker provided an update on the September 27th Lowrider Holiday celebration, highlighting strong family attendance and successful coordination with Modesto Police, Fire Department, and volunteers for traffic and parking management. They also shared progress on the Modesto High School police car project, noting increased student participation and upcoming media coverage, and expressed gratitude to council members and supporters involved.

Written General Public Comment Received (Funding Source: Not Applicable)
 CITY CLERK; City Clerk, 209-577-5396, cityclerk@modestogov.

Recessed: 7:40 p.m.
Reconvened: 7:45 p.m.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 12-22, 24-27 (Wright/Alvarez; 7/0)

CONSENT

Consent

12. Consider approving the minutes for the September 23, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the September 23, 2025 Council Meeting.
 CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Motion approving the minutes for the September 23, 2025 Council Meeting.

Consent

13. Consider approving the recommended budget adjustments to Fiscal Year 2025-26 Annual Operating and Capital Improvement Program Budgets. (Funding Source: Various Funds)
- Resolution amending Fiscal Year 2025-26 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.
- BUDGET; Kacey Culbertson, 209-571-5855, kculbertson@modestogov.com*

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-361 amending Fiscal Year 2025-26 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.

Consent

14. Consider approving Annexation Map #2 to the City of Modesto Community Facilities District No. 2024-1 and authorizing the levy of special taxes on approximately 19.95 acres of property located within the annexation map boundary. (Funding Source: Developer Deposit)
- Resolution approving Annexation #2 to the City of Modesto Community Facilities District No. 2024-1 and authorizing the levy of special taxes on approximately 19.95 acres of property located within the annexation map boundary.
- CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com*

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-362 approving Annexation #2 to the City of Modesto Community Facilities District No. 2024-1 and authorizing the levy of special taxes on approximately 19.95 acres of property located within the annexation map boundary.

Consent

15. Consider approving a First Amendment to the Memorandum of Agreement between the County of Stanislaus Community Services Agency (CSA) and the City of Modesto to increase the funding amount by \$342,626 from \$1,775,077 to a new total award of \$2,117,703, for the operations of the Permanent Supportive Housing Units to be passed to Modesto Homekey LP in an amended Grant Agreement located at 710 N. 9th Street, Modesto CA 95350. (Funding Source: Homeless Housing, Assistance and Prevention (HHAP) Grant)
- Resolution approving a First Amendment to the Memorandum of Agreement between the County of Stanislaus Community Services Agency (CSA) and the City of Modesto to increase the funding amount by \$342,626 from \$1,775,077 to a new total award of \$2,117,703, for the operations of the Permanent Supportive Housing Units project located at 710 N. 9th Street, Modesto CA 95350 and authorizing the City Manager or his designee to negotiate and execute an Amendment.
 - Resolution approving a First Amendment to the Grant Agreement with Modesto Homekey, L.P. of Fresno, CA to increase the funding amount by

\$342,626 from \$1,775,077 to a new total award of \$2,117,703, for the operations of the Permanent Supportive Housing for the project located at 710 N. 9th Street, Modesto CA 95350 and authorizing the City Manager or his designee to negotiate and execute an Amendment.

- Resolution amending project (101575) to increase the Homeless Housing Assistance and Prevention Program (HHAP) budget new total amount of \$2,117,703 and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-363 approving a First Amendment to the Memorandum of Agreement between the County of Stanislaus Community Services Agency (CSA) and the City of Modesto to increase the funding amount by \$342,626 from \$1,775,077 to a new total award of \$2,117,703, for the operations of the Permanent Supportive Housing Units project located at 710 N. 9th Street, Modesto CA 95350 and authorizing the City Manager or his designee to negotiate and execute an Amendment.

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-364 approving a First Amendment to the Grant Agreement with Modesto Homekey, L.P. of Fresno, CA to increase the funding amount by \$342,626 from \$1,775,077 to a new total award of \$2,117,703, for the operations of the Permanent Supportive Housing for the project located at 710 N. 9th Street, Modesto CA 95350 and authorizing the City Manager or his designee to negotiate and execute an Amendment.

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-365 amending project (101575) to increase the Homeless Housing Assistance and Prevention Program (HHAP) budget new total amount of \$2,117,703 and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.

Consent

16. Consider approving an Agreement between the City of Modesto and Modesto Hospitality, LLC to operate the Modesto Centre Plaza through December 31, 2026, and continuing thereafter until terminated by one of parties. (Funding Source: Centre Plaza Fund)

- Resolution approving an Agreement between the City of Modesto and Modesto Hospitality, LLC, to operate the Modesto Centre Plaza through December 31, 2026, and continuing thereafter until terminated by one of the parties, and authorizing the City Manager, or designee, to negotiate and execute the Final Agreement.

CED; Taranjot Khehra, 209-577-5239, tkhehra@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-366 approving an Agreement between the City of Modesto and Modesto Hospitality, LLC, to operate the Modesto Centre Plaza through December 31, 2026, and continuing thereafter until terminated by one of the parties, and authorizing the City Manager, or designee, to negotiate and execute the Final Agreement.

Consent

17. Consider approving a First Amendment to the Agreement with Mark Thomas & Company, Inc. for additional tasks related to Construction Documentation and Bidding & Construction Support for the Tuolumne River Regional Park (TRRP) Riverwalk Trail – Gateway to Neece Project, for a new total amount not to exceed \$364,941. (Funding Source: Parks Capital Facility Fee Fund, Recreational Trails and Greenways Grant Program – Proposition 68)

- Resolution approving a First Amendment to the Agreement with Mark Thomas & Company, Inc. for additional tasks related to Construction Documentation and Bidding & Construction Support for the Tuolumne River Regional Park (TRRP) Riverwalk Trail – Gateway to Neece Project, increasing the Agreement amount by \$62,584 to a new total amount not to exceed \$325,841, plus \$39,100 in additional services, if needed, for a total amount not to exceed \$364,941, and authorizing the City Manager, or his designee, to execute the Amendment.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-367 approving a First Amendment to the Agreement with Mark Thomas & Company, Inc. for additional tasks related to Construction Documentation and Bidding & Construction Support for the Tuolumne River Regional Park (TRRP) Riverwalk Trail – Gateway to Neece Project, increasing the Agreement amount by \$62,584 to a new total amount not to exceed \$325,841, plus \$39,100 in additional services, if needed, for a total amount not to exceed \$364,941, and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

18. Consider approving a Fifth Amendment to the Joint Powers Agreement (JPA) between the City of Modesto and County of Stanislaus for the Acquisition, Development, and Operation of the Tuolumne River Regional Park (TRRP). (Funding Source: TRRP Operating Budget)

- Resolution approving the Fifth Amendment to the Joint Powers Agreement (JPA) with the City of Modesto and County of Stanislaus for the Acquisition, Development, and Operation of the Tuolumne River Regional Park, and authorizing the City Manager, or his designee, to execute the Amendment.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-368 approving the Fifth Amendment to the Joint Powers Agreement (JPA) with the City of Modesto and County of Stanislaus for the Acquisition, Development, and Operation of the Tuolumne River Regional Park, and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

19. Consider accepting the Tuolumne River Regional Park River Pavilion and Learning Theater Project as complete, releasing securities, releasing payments totaling \$550,754

to Westside Landscape & Concrete, Inc. of Newman, CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: Various Funds)

- Resolution accepting Tuolumne River Regional Park River Pavilion and Learning Theater Project as complete, releasing securities, releasing payments totaling \$550,754 to Westside Landscape & Concrete, Inc. of Newman, CA, and authorizing the City Clerk to file a Notice of Completion.

ENGINEERING SERVICES; Peter Kambel, 209-577-5444, pkambel@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-369 accepting Tuolumne River Regional Park River Pavilion and Learning Theater Project as complete, releasing securities, releasing payments totaling \$550,754 to Westside Landscape & Concrete, Inc. of Newman, CA, and authorizing the City Clerk to file a Notice of Completion.

Consent

20. Consider accepting the Monthly Investment Report for July 2025. (Funding Source: Various Funds)

- Motion accepting the Monthly Investment Report for July 2025.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Motion accepting the Monthly Investment Report for July 2025.

Consent

21. Consider accepting an Informational Report on the July and August 2025 Grant Applications and Awards. (Funding Source: Not Applicable)

- Motion accepting an Informational Report for July and August 2025, Grant Applications and Awards.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Motion accepting an Informational Report for July and August 2025, Grant Applications and Awards.

Consent

22. Consider accepting an Informational Report for the August 2025 Accounts Payable Payment Register and Void Report. (Funding Source: Not Applicable)

- Motion accepting an Informational Report for the August 2025 Accounts Payable Payment Register and Void Report.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Motion accepting an Informational Report for the August 2025 Accounts Payable Payment Register and Void Report.

Removed from Consent

23. Consider approving the purchase for 32 Fleet Replacements which includes 27 Ford Interceptors for the Modesto Police Department (MPD) and five Chevy Tahoes for MPD and Modesto Fire Department (MFD) in a total amount not to exceed \$2,319,595. (Funding Source: Fleet Replacement Funds)
- Resolution approving the Competitive Bidding Process from State of California to Folsom Lake Ford, Folsom, CA for the purchase of 27 Ford Interceptors for an amount not to exceed \$1,687,144; and authorizing the Director of Finance, or her designee, to issue the Purchase Order; and authorizing the Director of Finance or her designee to execute any Change Orders not to exceed 15% of the total purchase price.
 - Resolution approving the Competitive Bidding Process from State of California to Winner Chevrolet, Sacramento, CA for the purchase of five Chevy Tahoes for an amount not to exceed \$329,894; and authorizing the Director of Finance, or her designee, to issue the Purchase Order; and authorizing the Director of Finance or her designee to execute any Change Orders not to exceed 15% of the total purchase price.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-370 approving the Competitive Bidding Process from State of California to Folsom Lake Ford, Folsom, CA for the purchase of 27 Ford Interceptors for an amount not to exceed \$1,687,144; and authorizing the Director of Finance, or her designee, to issue the Purchase Order; and authorizing the Director of Finance or her designee to execute any Change Orders not to exceed 15% of the total purchase price.

ACTION: (Wright/Williams; 7/0) Resolution 2025-371 approving the Competitive Bidding Process from State of California to Winner Chevrolet, Sacramento, CA for the purchase of five Chevy Tahoes for an amount not to exceed \$329,894; and authorizing the Director of Finance, or her designee, to issue the Purchase Order; and authorizing the Director of Finance or her designee to execute any Change Orders not to exceed 15% of the total purchase price.

Consent

24. Consider authorizing the Director of Finance to adjust Agreement totals between the Administrative Investigative Services Agreements based on consultant availability and department's needs, ensuring the combined total does not exceed \$500,000 over remaining term of the Agreements. (Funding Source: Various Funds)
- Resolution authorizing the Director of Finance to adjust Agreement totals between the Administrative Investigative Services Agreements based on consultant availability and department's needs, ensuring the combined total does not exceed \$500,000 over remaining term of the Agreements.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-372 authorizing the Director of Finance to adjust Agreement totals between the Administrative Investigative Services

Agreements based on consultant availability and department's needs, ensuring the combined total does not exceed \$500,000 over remaining term of the Agreements.

Consent

25. Consider ratifying the approval of an additional Agreement with Telcion Communication Group, Turlock, CA for the purchase of a Cisco Secure Network Firewall 3105 NGFW to replace the City Hall firewall and ensure strong security across the City's infrastructure, for a new total amount not to exceed \$ 196,324. (Funding Source: IT Department Fund)
- Resolution ratifying the approval of an additional Agreement with Telcion Communication Group, Turlock, CA for the purchase of a Cisco Secure Network Firewall 3105 NGFW to replace the City Hall firewall and ensure strong security across the City's infrastructure, in the amount of \$28,732, for a new total amount not to exceed \$196,324; and authorize the City Manager, or his designee, to execute the Agreement.

IT; Dameon Booker, 209-577-5229, dbooker@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-373 ratifying the approval of an additional Agreement with Telcion Communication Group, Turlock, CA for the purchase of a Cisco Secure Network Firewall 3105 NGFW to replace the City Hall firewall and ensure strong security across the City's infrastructure, in the amount of \$28,732, for a new total amount not to exceed \$196,324; and authorize the City Manager, or his designee, to execute the Agreement.

Consent

26. Consider approving the submission of a Grant Application to the United States Environmental Protection Agency - Community Grants Program for the Grayson Water Infrastructure Improvements Project. (Funding Source: Water Fund)
- Resolution approving the submission of a Grant Application to the United States Environmental Protection Agency - Community Grants Program for the Grayson Water Infrastructure Improvements Project, authorizing the City Manager, or his designee, to enter into the associated Grant Agreement and execute all related documents.

UTILITIES; Edgar Vargas, 209-577-5424, evargas@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-374 approving the submission of a Grant Application to the United States Environmental Protection Agency - Community Grants Program for the Grayson Water Infrastructure Improvements Project, authorizing the City Manager, or his designee, to enter into the associated Grant Agreement and execute all related documents.

Consent

27. Consider approving an Engineering Services Agreement with West Yost Associates, of Sacramento, CA, for the preparation of the 2025 Joint Urban Water Management Plan and Water Conservation Plan Update in the amount of \$180,455, plus \$18,046 in additional services, if needed, for an Agreement total amount not to exceed \$198,501

and entering into an associated Cost-Share Agreement with the Modesto Irrigation District. (Funding Source: Water Fund)

- Resolution approving an Engineering Services Agreement with West Yost Associates, of Sacramento, CA for the 2025 Joint Urban Water Management Plan and Water Conservation Plan Update in the amount of \$180,455, plus \$18,046 in additional services, if needed, for an Agreement total amount not to exceed \$198,501 and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution approving entering into a Cost-Share Agreement with Modesto Irrigation District regarding the reimbursement of costs related to the preparation of the 2025 Joint Urban Water Management Plan and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution approving an Amendment to the Fiscal Year 2025-26 Multi-Year Program Budget in the amount of \$279,060 to establish the expense and revenue budgets for the 2025 Joint Urban Water Management Plan and Water Conservation Plan Update and authorizing the City Manager, or his designee, to implement the provisions of the Resolution.

UTILITIES; Miguel Alvarez, 209-577-5348, malvarez@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-375 approving an Engineering Services Agreement with West Yost Associates, of Sacramento, CA for the 2025 Joint Urban Water Management Plan and Water Conservation Plan Update in the amount of \$180,455, plus \$18,046 in additional services, if needed, for an Agreement total amount not to exceed \$198,501 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-376 approving entering into a Cost-Share Agreement with Modesto Irrigation District regarding the reimbursement of costs related to the preparation of the 2025 Joint Urban Water Management Plan and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-377 approving an Amendment to the Fiscal Year 2025-26 Multi-Year Program Budget in the amount of \$279,060 to establish the expense and revenue budgets for the 2025 Joint Urban Water Management Plan and Water Conservation Plan Update and authorizing the City Manager, or his designee, to implement the provisions of the Resolution.

COUNCIL COMMENTS & REPORTS

- Vice Mayor Bavaro reported on Lakewood neighborhood’s first NeLa Palooza event, noting that 10–11 families hosted bands spanning punk, rock, and country music from 2–5 PM. The event concluded with a large gathering at Lakewood Park, included 11 vendors, had no issues, and was deemed a successful community event.
- Councilmember Williams highlighted his participation in **Fire Ops 101**, gaining hands-on firefighter training and insight into their daily responsibilities. He also attended

Learning Quest’s Over the Edge fundraising event, which raised \$117,000 for literacy and GED programs. Finally, he requested a **moment of silence** for former elected official Luis Molina, who recently passed away.

- Councilmember Ricci highlighted a \$485,000 traffic enforcement grant for MPD targeting speeding, DUI, and red-light violations. He welcomed the Pioneer League baseball team to Modesto and encouraged public participation in naming the team. He also criticized Stanislaus Animal Services for inadequate operations and called for immediate reforms to improve care and accessibility.
- Councilmember Alvarez recognized the Modesto Blight Mitigation team and Public Works Department for their responsiveness to trash, debris, and pothole concerns. He also highlighted upcoming events such as the groundbreaking for the Martin Luther King Jr. Park renovation on October 16th and the 14th Annual South Modesto Businesses United Gala on October 24th, which supports providing toys and gifts to children in the community.
- Councilmember Escutia-Braaton expressed condolences to the Molina family for the loss of Luis Molina, honoring his leadership and community impact. She shared her appreciation for firefighters after participating in Fire Ops training, noting the physical and emotional strength the job requires. She also reported attending the League of California Cities Conference in Long Beach, where Modesto’s City Manager presented on the City’s success with Measure H, highlighting Modesto as a leader in community collaboration and innovation.
- Mayor Zwahlen highlighted recent community and professional activities, including attending the Downtown Modesto Muralist Reception showcasing five new murals, and speaking at the Out of Darkness Suicide Prevention Walk. She also reported on her participation at the League of California Cities Conference, where she attended sessions on AI, public trust, community engagement, creativity, and local sales tax measures. She noted City Manager Joe Lopez’s presentation on Measure H was well received and concluded by emphasizing the value of networking with other city leaders.

CITY MANAGER COMMENTS & REPORTS

None.

HEARINGS

Published in the Modesto Bee on October 3, 2025.

28. Hearing to consider approving the application and issuance of a Permit to operate as a Non-Emergency Medical Transport Company to Quality Care Transportation in the City of Modesto. (Funding Source: General Fund)
 - Resolution approving the application and issuance of a Permit to operate as a Non-Emergency Medical Transport Company to Quality Care Transportation in the City of Modesto.

POLICE DEPARTMENT; Kalani Souza, 209-572-9500, souzak@modestopd.com

ACTION: (Escutia-Braaton/Alvarez; 7/0) Resolution 2025-378 approving the application and issuance of a Permit to operate as a Non-Emergency Medical Transport Company to Quality Care Transportation in the City of Modesto.

NEW BUSINESS

29. Consider approving a Memorandum of Understanding (MOU) between the City of Modesto and United Way for a partnership with Modesto Gospel Mission to provide outreach and employment support for individuals experiencing homelessness in an amount not to exceed \$1,250,000 in alignment with the City’s Camp2Home Initiative. (Funding Source: Various Funds)

- Resolution approving a Memorandum of Understanding (MOU) between the City of Modesto and United Way for a partnership with Modesto Gospel Mission to provide outreach and employment support for individuals experiencing homelessness in an amount not to exceed \$1,250,000, and authorizing the City Manager to negotiate, and execute the MOU.
- Resolution amending the Fiscal Year 2025-26 Annual Operating Fund Budgets to create a multi-year project in an amount not to exceed \$1,250,000 to appropriate funds for the Memorandum of Understanding (MOU) between City of Modesto and United Way, and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.

CED; Edgar Garcia, 209-571-5101, jhill@modestogov.com

ACTION: (Alvarez/Wright; 7/0) Resolution 2025-379 approving a Memorandum of Understanding (MOU) between the City of Modesto and United Way for a partnership with Modesto Gospel Mission to provide outreach and employment support for individuals experiencing homelessness in an amount not to exceed \$1,250,000, and authorizing the City Manager to negotiate, and execute the MOU.

ACTION: (Alvarez/Wright; 7/0) Resolution 2025-380 amending the Fiscal Year 2025-26 Annual Operating Fund Budgets to create a multi-year project in an amount not to exceed \$1,250,000 to appropriate funds for the Memorandum of Understanding (MOU) between City of Modesto and United Way, 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 9:08 p.m.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
SPECIAL AUDIT COMMITTEE
COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, October 20, 2025 at 4:00 PM

Roll Call: Present: Chair Zwahlen, Vice-Chair Wright, Public Member Orosco,
Alternate Member Bavaro

Absent: Committee Member Ricci, Public Member Garcia

PUBLIC COMMENT PERIOD

None.

COMMENTS BY E-MAIL

None.

NEW BUSINESS

1. Consider accepting the FY25-26 Internal Audit Status Report dated September 29, 2025. (Funding Source: General Fund)
 - Motion to receive and file the Internal Audit Status Report dated September 29, 2025.

CITY AUDITOR; Colleen Rozillis, 206-302-6795, crozillis@modestogov.com

ACTION: (Wright/Orosco; 4/0) Motion to receive and file the Internal Audit Status Report dated September 29, 2025.

2. Consider accepting the Audit Finding Validation Report dated October 14, 2025. (Funding Source: General Fund)
 - Motion to receive and file the quarterly Audit Findings Validation Report dated October 14, 2025.

CITY AUDITOR; Colleen Rozillis, 206-302-6795, crozillis@modestogov.com

ACTION: (Orosco/Wright; 4/0) Motion to receive and file the quarterly Audit Findings Validation Report dated October 14, 2025.

3. Consider an Agreement for the furnishing of External Auditing Services and Preparation of Financial Statements to Vasquez and Company LLP, Glendale, CA, for a total amount not to exceed \$972,800; and forwarding to Council for approval. (Funding Source: Various Funds)

- Motion recommending the Award of Proposal and Agreement for the furnishing of External Auditing Services and Preparation of Financial Statements to Vasquez and Company LLP, Glendale, CA, for a three-year Agreement with two one-year extension options, for an estimated annual amount of \$194,560, and a total amount not to exceed \$972,800 over five years and forwarding to Council for approval.

*FINANCE DEPARTMENT; Maria Garnica, 209-577-5249,
mgarnica@modestogov.com*

ACTION: (Bavaro/Orosco; 4/0) Motion recommending the Award of Proposal and Agreement for the furnishing of External Auditing Services and Preparation of Financial Statements to Vasquez and Company LLP, Glendale, CA, for a three-year Agreement with two one-year extension options, for an estimated annual amount of \$194,560, and a total amount not to exceed \$972,800 over five years and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:24 p.m.;

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
FINANCE COMMITTEE / COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, October 27, 2025 at 4:00 PM

Roll Call: Present: Committee Member Bavaro, Vice-Chair Wright, Chair Escutia-Braaton
Absent: None

PUBLIC COMMENTS PERIOD

None.

COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-5 (Wright/Bavaro; 3/0)

CONSENT

Consent

1. Consider the recommended budget adjustments to Fiscal Year 2025-26 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the budget adjustments to Fiscal Year 2025-26 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.
BUDGET; Kacey Culbertson, 209-571-5855, kculbertson@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the budget adjustments to Fiscal Year 2025-26 Annual Operating and Capital Improvement Program Budgets; and forwarding to Council for approval.

Consent

2. Consider the First Amendment with George Hills Company, Rancho Cordova, CA, for Third-Party Administration (TPA) of the City’s General Liability Claims increasing funding the Agreement amount by \$284,500 and a new total not to exceed \$2,284,500 to complete the term of the Agreement and forwarding to Council for approval. (Funding Source: General Liability Fund)

- Motion recommending the approval of the First Amendment with George Hills Company, Rancho Cordova, CA, for Third-Party Administration (TPA) of the City's General Liability Claims increasing funding the Agreement amount by \$284,500 and a new total not to exceed \$2,284,500 to complete the term of the Agreement and forwarding to Council for approval.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the approval of the First Amendment with George Hills Company, Rancho Cordova, CA, for Third-Party Administration (TPA) of the City's General Liability Claims increasing funding the Agreement amount by \$284,500 and a new total not to exceed \$2,284,500 to complete the term of the Agreement and forwarding to Council for approval.

Consent

3. Consider the Second Amendment with Greentek Services, LLC, Oroville, CA, for Tree Pruning and Removal Services, increasing the Agreement amount by \$960,000 and Rumble Tree, Inc., Modesto, CA for Tree Pruning and Removal Services increasing the Agreement amount by \$690,000 and forwarding to Council for approval. (Funding Source: Measure H Fund)

- Motion recommending the Second Amendment for Tree Pruning and Removal Services with Greentek Services, LLC, Oroville, CA, increasing the Agreement amount by \$960,000 to a new total amount of \$4,435,000 and for Tree Removal and Stump Grinding Services with Rumble Tree, Inc., Modesto, CA increasing the Agreement amount by \$690,000 for a new total amount of \$3,604,350 and a total amount not to exceed between both agreements of \$8,039,350; authorizing the Director of Finance to adjust agreement totals between vendors based on contractor's availability and department's needs, ensuring the combined total amount does not change and forwarding to Council for approval.

PUBLIC WORKS; Mike Johnson, 209-342-4566, mjohnson@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Second Amendment for Tree Pruning and Removal Services with Greentek Services, LLC, Oroville, CA, increasing the Agreement amount by \$960,000 to a new total amount of \$4,435,000 and for Tree Removal and Stump Grinding Services with Rumble Tree, Inc., Modesto, CA increasing the Agreement amount by \$690,000 for a new total amount of \$3,604,350 and a total amount not to exceed between both agreements of \$8,039,350; authorizing the Director of Finance to adjust agreement totals between vendors based on contractor's availability and department's needs, ensuring the combined total amount does not change and forwarding to Council for approval.

Consent

4. Consider the Purchasing Agreements for the purchase of Transmission Parts and Repair Services with AG Transmission Repair, Oakdale, CA, Valley Transmission, Modesto, CA and Mello Transmission Company, Inc., Modesto, CA for a combined total amount not to exceed \$750,000 over five years and forwarding to Council for approval. (Funding Source: Fleet Fund, Outside Service Agreements)

- Motion recommending the Purchasing Agreements with AG Transmission Repair, Oakdale, CA, Valley Transmission, Modesto, CA and Mello Transmission Company, Inc., Modesto, CA for Transmission Parts and Repair Services for a two year Agreement with three one-year extension options, for an estimated annual amount of \$150,000 and a combined total amount not to exceed \$750,000 over five years; and authorizing the Director of Finance to adjust agreement totals between vendors based on contractor’s availability and department’s needs. Ensuring the combined total amount does not change and authorizing the Director of Finance or her designee to execute the Agreements and forwarding to Council for approval.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Purchasing Agreements with AG Transmission Repair, Oakdale, CA, Valley Transmission, Modesto, CA and Mello Transmission Company, Inc., Modesto, CA for Transmission Parts and Repair Services for a two year Agreement with three one-year extension options, for an estimated annual amount of \$150,000 and a combined total amount not to exceed \$750,000 over five years; and authorizing the Director of Finance to adjust agreement totals between vendors based on contractor’s availability and department’s needs. Ensuring the combined total amount does not change and authorizing the Director of Finance or her designee to execute the Agreements and forwarding to Council for approval.

Consent

5. Consider an Agreement with Badger Meter, Sacramento, CA for BEACON AMA Software as a Service (SaaS), meter reads and associated hardware for a total amount not to exceed \$398,194 and forwarding to Council for approval. (Funding Source: Water Fund)

- Motion recommending the Sole Source Agreement with Badger Meter, Sacramento, CA for BEACON AMA Software as a Service (SAAS), meter reads and associated hardware for a two-year Agreement with three one-year extension options and a total amount not to exceed \$398,194 over five years; and forwarding to Council for approval.

UTILITIES; Manuel Martinez, 209-342-4592, mmartinez@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the Sole Source Agreement with Badger Meter, Sacramento, CA for BEACON AMA Software as a Service (SAAS), meter reads and associated hardware for a two-year Agreement with three one-year extension options and a total amount not to exceed \$398,194 over five years; and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:03 p.m.

Attest: _____
Andrea Cook, Deputy City Clerk

*Amended

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, October 28, 2025 at 5:30 PM

Special City Council – Closed Session Meeting 3:00 p.m.

Roll Call - Present: Councilmembers Alvarez (Arrived at 3:07p.m.), Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting 5:30 p.m.

Roll Call - Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: Associate Pastor Yolanda Williams, Good Life Church

City Clerk’s Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: No Reportable Action for 1-3, 5. Item 4 – The Mayor made a statement that the City Council completed the annual evaluation of City Clerk Diane Nayares-Perez, unanimously concluding she continues to perform excellently and expressing appreciation for her service.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring November as Native American Heritage Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented a proclamation declaring November as Native American Heritage Month.

MISCELLANEOUS

2. Consider approving the appointment of Patrick Cavanah as the Culture Commission representative to the Landmark Preservation Commission for the remainder of 2025, with a term expiration of December 31, 2025. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution approving the appointment of Patrick Cavanah as the 2025 Culture Commission representative to the Landmark Preservation Commission with a term expiration of December 31, 2025.

PRN; Jessica Flores, 209-577-5366, jeflores@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-381 approving the appointment of Patrick Cavanah as the 2025 Culture Commission representative to the Landmark Preservation Commission with a term expiration of December 31, 2025.

3. Consider accepting the resignation of Galen Carroll from the Measure H Oversight Board. (Funding Source: Not Applicable)

Staff Recommendation:

- Resolution accepting the resignation of Galen Carroll from the Measure H Oversight Board.

BUDGET; Stephan Christensen, 209-577-5390, schristensen@modestogov.com

ACTION: (Ricci/Williams; 7/0) Resolution 2025-382 accepting the resignation of Galen Carroll from the Measure H Oversight Board.

PUBLIC COMMENT PERIOD

- Terhesa Gamboa, chair of Woodland West Community, urged the Council to keep the mask mandate, citing public safety concerns and noting community support for police and reduced crime since Measure H passed.
- Lisa Carlson urged the Council not to repeal the mask mandate, arguing masks enable anonymity during crimes and protests. She cited nationwide riots, thefts, and lawlessness since 2020, saying those committing such acts often wore masks to avoid identification.
- Suzanne Gonzalez-Beban urged the Council to repeal the mask mandate, arguing it contributes to government surveillance and endangers peaceful protesters who may need masks to protect their identities from federal monitoring.
- Milt Trieweiler urged the Council to permanently protect Modesto's prime farmland north and west of the City from development, stressing its global importance, sustainability, and irreplaceability. He called for building within City limits rather than expanding outward to preserve farmland for future generations.
- Derek Castle urged the City to improve safety on Modesto's shared-use trails due to rising e-bike speeds and related accidents. He suggested measures like speed limits when passing pedestrians and periodic park ranger checks to ensure compliance with state laws.

- Ramon Rodriguez urged the City to address car-related dangers and invest more in public transportation, biking, and walking to reduce accidents. He also called for action to prevent the closure of the Salvation Army shelter, warning it would increase homelessness.
- Dan Vega urged the City not to demolish the Modesto Center Plaza, arguing it should be repurposed as a daily community civic center rather than replaced with an expensive, high-risk stadium. He said the plaza could better serve residents year-round and strengthen community life.
- Sebastian Jones, president of the Martin Luther King Jr. Committee, thanked the City for investing in the MLK Park renovation and requested space for a future statue of Dr. King. He asked to collaborate with City staff and leaders on the project and to participate in the park's ribbon-cutting ceremony.
- Anthony Drobnick spoke about the City's high spending on defending the mask ban and overfunding police. He urged the Council to repeal the Ordinance and redirect funds to community programs and an independent, well-resourced Police Review Board.
- Sarah Bland thanked the City Council for listening to community concerns, praised Sebastian Jones for his persistence in renaming the park to Martin Luther King Jr. Park, and acknowledged the \$8.5 million funding and ongoing park improvements.
- Lucas S. honored recently fallen police officers in California, including those who died in the line of duty or traffic incidents, and requested a moment of silence to recognize their service.
- Brian Benham urged the Council to repeal the mask mandate, emphasizing that wearing a face covering is not a violent act and does not cause crime. He called for courage, integrity, and respect for First Amendment rights.
- Ryann Hall, director of Communications at Cal Pride, argued that masks at protests protect individuals' identities and the health of immunocompromised people. She emphasized that repealing the mask Ordinance as it threatens First Amendment rights and could lead to costly litigation, urging the City to focus taxpayer dollars on community support instead.
- Anne Marie urged the Council to repeal mask municipal code, arguing it is unconstitutional, unenforceable, and redundant due to Penal Code 185. She warned that inaction could lead to costly ACLU litigation and emphasized the need to prioritize funding for social services over policing.
- Julissa listed numerous individuals killed by Modesto police over the years and questioned why half of the City budget is allocated to policing despite documented misconduct, including targeting of BIPOC protests. She highlighted ongoing concerns about police accountability and the unconstitutional mask Ordinance.

- Leah Hassett called for the full repeal of Modesto Municipal Code 4.2302 and the dismissal of charges from the June 14th arrests. She urged the City to view protesters as community members advocating for positive change rather than targeting them with enforcement or surveillance.
- Emmanuel Vasquez Marin condemned the City for failing to place the June 14th protest and mask Ordinance on the Agenda, calling it a denial of justice and public accountability. He urged the Council to act promptly, uphold constitutional rights, and address police misconduct.
- Laura Connor urged the City Council to repeal the mask Ordinance, citing its violation of First Amendment rights, harm to marginalized communities, and existing laws against masking during crimes, warning of potential ACLU legal action.
- Nora urged the City Council to place the mask Ordinance on the next Agenda and repeal it, highlighting its unconstitutional targeting of marginalized communities and warning that continued inaction will lead to a costly lawsuit, diverting resources from essential City services.
- A speaker urged the Modesto City Council to repeal the mask mandate or at least place it on the Agenda, arguing that its continued enforcement allows police to target citizens and divert resources toward militarized policing instead of effective crime reduction and community improvement.
- Allison Anderson Cisneros urged the Council to repeal the unconstitutional mask ban, emphasizing that resources should focus on community programs, arts, education, and inclusive strategies rather than solely on reactive or militarized policing, which limits effective problem-solving and community cohesion.
- A local business owner spoke in support of repealing the mask Ordinance, emphasizing that it criminalizes peaceful protesters and forces residents to choose between exercising their First Amendment rights and protecting their families. She urged the Council to add the issue to the Agenda to prevent community division and unnecessary use of taxpayer dollars.
- Galen, a Modesto resident and nurse practitioner, spoke about issues with the National Take Back Day event on October 25th. They noted that police department doors were closed, there were no signs or fliers, and medication drop-off bins were insecure. Galen suggested quarterly events with secure drop-off containers to better protect the public and the environment.
- A local resident expressed frustration at attending City Council meetings for four months without seeing action, noting that elected officials are meant to represent the people. They shared their feelings briefly without a prepared statement.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS: 4-7, 9 (Escutia-Braaton/Bavaro; 7/0)

CONSENT

Consent

4. Consider approving the minutes for the October 14, 2025 Council Meeting. (Funding Source: Not Applicable)
- Motion approving the minutes for the October 14, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Motion approving the minutes for the October 14, 2025 Council Meeting.

Consent

5. Consider adopting the Bylaws for the Measure H Oversight Board. (Funding Source: Not Applicable)
- Resolution approving the Bylaws for the Measure H Oversight Board Committee.
BUDGET; Stephan Christensen, 209-577-5490, schristensen@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-383 approving the Bylaws for the Measure H Oversight Board Committee.

Consent

6. Consider approving the Second Amendment to the Agreement with Homebase, San Francisco, CA, to continue Consultant Services to Support Local Homeless Programs for an additional \$150,000, for a revised total Agreement amount not to exceed \$245,000. (Funding Source: Various Funds)
- Resolution approving the Second Amendment to the Agreement with Homebase, San Francisco, CA, to continue Consultant Services to Support Local Homeless Programs for an additional \$150,000 for a revised total Agreement amount not to exceed \$245,000 and authorizing the City Manager, or his designee, to execute the Amendment.
CED; Edgar Garcia, 209-571-5211, edgarcia@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-384 approving the Second Amendment to the Agreement with Homebase, San Francisco, CA, to continue Consultant Services to Support Local Homeless Programs for an additional \$150,000 for a revised total Agreement amount not to exceed \$245,000 and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

7. Consider approving an Agreement with Honeywell International, Inc. DBA US Digital Designs by Honeywell Tempe, Arizona for Software Maintenance and Hardware

Repair Services for the Phoenix G2 Fire Station Alerting System total amount not to exceed \$359,662 over five years. (Funding Source: General Fund)

- Resolution approving an Agreement with Honeywell International, Inc. DBA US Digital Designs by Honeywell Tempe, Arizona for Software Maintenance and Hardware Repair Services for the Phoenix G2 Fire Station Alerting System for a five-year Agreement in an amount of \$342,535 with a 5% contingency in the amount of \$17,127 for a total amount not to exceed \$359,662 and authorizing the City Manager, or his designee, to execute the Agreement.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-385 approving an Agreement with Honeywell International, Inc. DBA US Digital Designs by Honeywell Tempe, Arizona for Software Maintenance and Hardware Repair Services for the Phoenix G2 Fire Station Alerting System for a five-year Agreement in an amount of \$342,535 with a 5% contingency in the amount of \$17,127 for a total amount not to exceed \$359,662 and authorizing the City Manager, or his designee, to execute the Agreement.

Removed from Consent

8. Consider approving a Purchasing Agreement for the purchase of Equipment and Vehicle Parts with NFI Parts – The Aftermarket Parts Company, LLC (DBA NFI Parts), Louisville, KY, for a total amount not to exceed \$1,175,300 over five years. (Funding Source: Fleet Fund)

- Resolution approving a Purchasing Agreement for the purchase of Equipment and Vehicle Parts with NFI Parts, Louisville, KY for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$235,060 and a total amount not to exceed \$1,175,300 over five years; and authorizing the Director of Finance, or her designee, to execute the Agreement.

PUBLIC WORKS; Patrick Crowley, 209-342-2274, pcrowley@modestogov.com

ACTION: (Wright/Bavaro; 7/0) Resolution 2025-386 approving a Purchasing Agreement for the purchase of Equipment and Vehicle Parts with NFI Parts, Louisville, KY for a two-year Agreement with three one-year extension options, for an annual estimated amount of \$235,060 and a total amount not to exceed \$1,175,300 over five years; and authorizing the Director of Finance, or her designee, to execute the Agreement.

Consent

9. Consider approving the acceptance of a Grant subaward in the amount of \$475,070.50 from the Federal Emergency Management Agency’s Building Resilient Infrastructure and Communities Program, through the California Office of Emergency Services for the Flood Risk Reduction Feasibility Study Scoping Project. (Funding Source: Wastewater Fund)

- Resolution accepting the Federal Emergency Management Agency’s Building Resilient Infrastructure and Communities Program Grant subaward through the California Office of Emergency Services (Cal OES) in the amount of

\$475,070.50 for the Flood Risk Reduction Feasibility Study Scoping Project and authorizing the City Manager, or his authorized agents: Utilities Director, Engineering Division Manager or Senior Civil Engineer, to enter into the associated Grant Agreement and execute all related documents, including Exhibit A, the attached Cal OES Form 130.

UTILITIES; Jim Alves, 209-571-5557, jalves@modestogov.com

ACTION: (Escutia-Braaton/Bavaro; 7/0) Resolution 2025-387 accepting the Federal Emergency Management Agency’s Building Resilient Infrastructure and Communities Program Grant subaward through the California Office of Emergency Services (Cal OES) in the amount of \$475,070.50 for the Flood Risk Reduction Feasibility Study Scoping Project and authorizing the City Manager, or his authorized agents: Utilities Director, Engineering Division Manager or Senior Civil Engineer, to enter into the associated Grant Agreement and execute all related documents, including Exhibit A, the attached Cal OES Form 130.

COUNCIL COMMENTS & REPORTS

- Councilmember Williams provided updates on recent and upcoming community events, including the MLK Park groundbreaking, Kids Park Day fundraiser, Valley BMW’s 25th anniversary, Dev Fest AI and technology event, and the upcoming Veterans Day parade and ceremony. He also mentioned attending a South Modesto Business United dinner and a scholarship event with the South Asian American Community Resources.
- Councilmember Ricci addressed public concerns about e-bike safety on trails, calling for speed limits and regulations. He discussed Stanislaus Animal Services’ strategic plan, urging community input on programs like feral cat management, spay/neuter, vaccinations, and improved customer service. He also highlighted the start of construction at the new Martin Luther King Park, which will include a gym, outdoor event space, and other amenities, praising the parks department for securing the grant.
- Councilmember Escutia-Bratton reported on a recent San Joaquin Valley Air Pollution Control District meeting, highlighting the agency’s role in regulating emissions, reducing smog and particle pollution, and managing public health and incentive programs. She noted successes including a 90% reduction in smog-forming emissions since 2000, replacing tens of thousands of old diesel engines, and significant drops in fine particulate matter. She emphasized ongoing challenges and collaboration with state, federal, and community partners to continue improving air quality in the valley.
- Vice-Mayor Bavaro echoed concerns about e-bike safety on trails, citing complaints from local neighborhoods and walking/jogging groups, and suggested stricter regulations. He also attended the first annual Police Investigators Association presentation, praising the Modesto Police Department and Stanislaus County District Attorney for showcasing investigative efforts in solving violent crimes and cold cases.

- Mayor Zwahlen highlighted recent community involvement, thanking the Parks and Recreation Department for a successful Day of the Dead celebration at the McHenry Mansion. She recognized Juana Carrasco as California's first-ever individual First Responder of the Year and acknowledged the retirement of Stacey Mortensen, longtime executive director of the San Joaquin Regional Rail Commission, while noting ongoing efforts to bring rail service to Modesto.

CITY MANAGER COMMENTS & REPORTS

None.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:23p.m.

Attest: _____
Diane Nayares-Perez, City Clerk

MINUTES
City of Modesto
ECONOMIC DEVELOPMENT COMMITTEE
COUNCIL WORKSHOP
2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, November 03, 2025 at 4:01 PM

Roll Call: Present: Committee Member Bavaro, Vice-Chair Zwahlen,
Chair Alvarez (Arrived at 4:01 p.m.)

Absent: None

PUBLIC COMMENT PERIOD

None.

COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-2 (Zwahlen/Bavaro; 3/0)

CONSENT

Consent

1. Consider the 2025 Public Health Goals Report on the City of Modesto’s water system, in compliance with Title 22 of the California Health and Safety Code and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending accepting the 2025 Public Health Goals Report in compliance with Title 22 of the California Health and Safety Code and forwarding to Council for approval.

UTILITIES; Manuel Martinez, 209-342-4592, mmartinez@modestogov.com

ACTION: (Zwahlen/Bavaro; 3/0) Motion recommending accepting the 2025 Public Health Goals Report in compliance with Title 22 of the California Health and Safety Code and forwarding to Council for approval.

Consent

2. Consider a First Amendment to the Agreement with Grover Landscape Services, Inc. (Grover), Modesto, CA, for the Landscape Maintenance, Weed Abatement, Trash Removal, and Rodent Control Services increasing the Agreement amount by \$118,511 and forwarding to Council for approval. (Funding Source: Sewer Operations Fund)

- Motion recommending a First Amendment to the Agreement with Grover Landscape Services, Inc., Modesto, CA, for the Landscape Maintenance, Trash Removal, and Rodent Control Services increasing the Agreement amount by \$118,511, to a new estimated annual amount of \$240,465, for a new total amount of \$1,148,858 through the term of the Agreement; and forwarding to Council for approval.

UTILITIES; Jeff Daniels, 209-577-6255, jdaniels@modestogov.com

ACTION: (Zwahlen/Bavaro; 3/0) Motion recommending a First Amendment to the Agreement with Grover Landscape Services, Inc., Modesto, CA, for the Landscape Maintenance, Trash Removal, and Rodent Control Services increasing the Agreement amount by \$118,511, to a new estimated annual amount of \$240,465, for a new total amount of \$1,148,858 through the term of the Agreement; and forwarding to Council for approval.

NEW BUSINESS

3. Consider accepting a report on upcoming Capital Improvement Program Projects planned for bidding and construction. (Funding Source: Various Capital Improvement Program Projects)

- Motion accepting a report on upcoming Utilities Department Capital Improvement Program Projects planned for bidding and construction.

UTILITIES; Edgar Vargas, 209-577-5424, evargas@modestogov.com

ACTION: (Zwahlen/Bavaro; 3/0) Motion accepting a report on upcoming Utilities Department Capital Improvement Program Projects planned for bidding and construction.

ADJOURNMENT

This meeting adjourned at 4:13 p.m.

Attest: _____
Reyna Mendoza, Deputy City Clerk

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, November 04, 2025 at 5:30 PM

Special City Council – Closed Session Meeting 4:00 p.m.

Roll Call- Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting 5:30 p.m.

Roll Call- Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: Jeremy Brown, Chaplain Doctors Medical Center

City Clerk’s Announcements: Item 3 – The Minutes for the October 28, 2025 Council Meeting have been updated to reflect a change related to Closed Session. The Amended Minutes have been distributed to Council and copies are available at the entrance of the Chambers.

Declaration of Conflicts of Interest: Item 15 – Councilmember Williams recused

Reports from Closed Session: No reportable action taken.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring November 11th as Veteran's Day. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented a proclamation declaring November 11th as Veteran's Day.

MISCELLANEOUS

2. Consider accepting the resignation of Jan Viss from the Citizens’ Salary Setting Commission. (Funding Source: Not Applicable)
Staff Recommendation:

- Resolution accepting the resignation of Jan Viss from the Salary Setting Commission.

CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-388 accepting the resignation of Jan Viss from the Salary Setting Commission.

PUBLIC COMMENT PERIOD

- Suzy requested the City revisit the Mask Ordinance, stating that protesters need masks for safety from surveillance, vehicle emissions, and crowd-control measures, and asked the local government to protect peaceful demonstrators.
- Avonelle Tomlinson opposed Modesto’s mask ban, stating it is more restrictive than the state’s and disproportionately affects people of color. She referenced a potential ACLU lawsuit, arguing that continuing the ban is unlawful and a waste of City funds that could be better used for local needs.
- Jose urged the City to repeal the mask ordinance, arguing it disproportionately affects underserved communities and would be difficult to enforce across Modesto’s County pockets. He recommended allowing police to focus on core public safety duties rather than enforcing mask restrictions.
- John X Mataka, representing Valley Improvement Projects, urged the City to address the Mask Ordinance, noting that the ACLU and First Amendment Coalition had requested its repeal or amendment. He stated that delaying action for surveys does not resolve legal issues and highlighted a perceived inconsistency allowing police to wear masks while prohibiting protesters from doing so.
- Dan Vega opposed demolishing Modesto Center Plaza for a soccer stadium and proposed keeping it as a civic space. He suggested using the plaza for community clubs, events, and social activities when not booked, modeled as a nonprofit-run community center to foster civic engagement and social connection.
- Ryann Hall, representing Cal Pride, criticized the Mask Ordinance as unconstitutional, unworkable, and a misuse of taxpayer funds. She emphasized that the community can safely organize and manage events without restrictive policies, highlighted the importance of protecting First Amendment rights, and urged the City to involve organizers with lived experience in creating effective policies for peaceful assembly.
- Gavin Bruce criticized the Mask Ordinance, citing a June protest where police actions appeared confrontational and excessive. He highlighted perceived disparities in accountability, noting that powerful officials face fewer restrictions while protesters, including homeless youth, face strict rules. He also raised concerns about surveillance and law enforcement cooperation with federal agencies, urging the City to repeal the Ordinance.

- Julianne Phillips, a representative from Senator Alvarado-Gil's office provided a brief Legislative update to the City Council. She highlighted a recent visit to the Modesto Irrigation District Regional Water Treatment Plant in Waterford, where discussions focused on water sustainability and treatment. The Senator also participated in a well-attended community meet-and-greet at a local Baptist church near the King Kennedy Center, offering resources related to food access, education, and childcare. She also expressed appreciation for the Veterans Day proclamation and noted that the Senator is sponsoring the upcoming Veterans Day parade in Modesto. Additionally, mobile office hours will be held at the Gala Center next Tuesday.
- Laura Connor, delivered a satirical yet critical public comment addressing issues of racial inequality, law enforcement accountability, and perceived inaction by the City Council. Using irony, she highlighted concerns about systemic privilege, the treatment of marginalized communities, and the Council's response to recent protests and legal actions. She questioned the prioritization of authority and compliance over justice and civic responsibility and expressed disapproval of the City's financial decisions related to a recent ACLU lawsuit. Her remarks concluded with a pointed critique of leadership and a call for greater accountability.
- Anthony Drobic delivered a satirical proclamation using irony to express deep frustration with the City Council's perceived inaction and lack of accountability. He criticized Council Members for ignoring community input, failing to act on recommendations from the Police Review Board, and contributing to costly legal issues. He accused the Council of prioritizing appearances over substance and expressed disappointment in their leadership over the past several months. He concluded by stating that the community deserves more responsive and committed representation.
- Nic stated that wearing masks is necessary for personal and public health, including protecting vulnerable individuals. He criticized the City Council for not placing the Mask Ordinance on the agenda, argued that it disproportionately targets marginalized groups, and raised concerns about potential legal costs and lack of societal benefit.
- Steve described a Pride event in Modesto that was disrupted by an individual with anti-LGBTQ messages, noting delayed police response and concerns about public safety. He criticized the Municipal Code for failing to adequately protect community members and argued that current policies put residents at risk.
- Julissa shared past experiences of being targeted by white supremacists while engaging in campus advocacy at CSU Stanislaus and stated that law enforcement failed to provide protection. She emphasized the importance of allowing masks for personal safety and criticized the City Council for not addressing the Mask Ordinance while continuing to fund the Police Department.

- Harlan Diven questioned the City Council’s legal advice on the Mask Ordinance, noting that the primary attorneys consulted have limited First Amendment expertise. They emphasized that clothing could constitute expressive speech, highlighted the importance of protecting protesters’ privacy and safety, and stressed that First Amendment rights are not subject to majority opinion or surveys.
- Nora expressed support for not tearing down the Centre Plaza, she also criticized the enforcement of Modesto’s Mask Ordinance, citing violent arrests of BIPOC protesters on June 14, 2025, while other protests were treated more leniently. She argued the Ordinance enables profiling based on ethnicity and political views, violates First Amendment rights, and called on the Council to amend or repeal it.
- Kevin McClarty stated that the Mask Ordinance facilitates surveillance and targeting of community members, including by extremist groups, referenced recent ICE actions, and urged the City Council to consider community concerns and take protective measures.
- Written General Public Comment Received
CITY CLERK; City Clerk, 209-577-5396, cityclerk@modestogov.com

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 3-6, 8-14 (Wright/Williams; 7/0)

CONSENT

Consent

3. Consider approving the minutes for the October 28, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the October 28, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Williams; 7/0) Motion approving the minutes as amended for the October 28, 2025 Council Meeting.

Consent

4. Consider approving the 2026 Calendar of regularly scheduled City Council and Council Standing Committee meetings. (Funding Source: Not Applicable)
 - Resolution approving the 2026 City Calendars of regularly scheduled City Council and Council Standing Committee meetings.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-389 approving the 2026 City Calendars of regularly scheduled City Council and Council Standing Committee meetings.

Consent

- 5. Consider approving the recommended budget adjustments to Fiscal Year 2025-26 Annual Operating and Capital Improvement Program Budgets. (Funding Source: Various Funds)
 - Resolution amending Fiscal Year 2025-26 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.

BUDGET; Kacey Culbertson, 209-571-5855, kculbertson@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-390 amending Fiscal Year 2025-26 Annual Operating and Capital Improvement Project Fund Budgets and authorizing the City Manager, to take the necessary steps to implement the provisions of this Resolution.

Consent

- 6. Consider approving an Agreement for Sidewalk Assessment and Repair Services with Precision Concrete Cutting, of Oakland, CA, for a total amount not to exceed \$1,670,990 over five years. (Funding Source: Various Funds)
 - Resolution approving an Agreement with Precision Concrete Cutting, of Oakland, CA, by utilizing the Competitive Bid Process with The Interlocal Purchasing System (TIPS), for Sidewalk Assessment and Sidewalk Repair Services for a two-year Agreement with three one-year extension options, for an estimated annual amount of \$334,198, and a total amount not to exceed \$1,670,990, over five years and authorizing the City Manager, or his designee, to execute the Agreement.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-391 approving an Agreement with Precision Concrete Cutting, of Oakland, CA, by utilizing the Competitive Bid Process with The Interlocal Purchasing System (TIPS), for Sidewalk Assessment and Sidewalk Repair Services for a two-year Agreement with three one-year extension options, for an estimated annual amount of \$334,198, and a total amount not to exceed \$1,670,990, over five years and authorizing the City Manager, or his designee, to execute the Agreement.

Removed from Consent

- 7. Consider approving an Agreement with Callander Associates, of Gold River, CA to prepare conceptual design for the Pelandale Streetscape Improvement Project for a total amount not to exceed \$327,543. (Funding Source: Measure H)
 - Resolution approving an Agreement with Callander Associates, of Gold River, CA, to prepare conceptual design for the Pelandale Streetscape Improvement Project in the amount of \$297,766, plus \$29,777, if needed, for an Agreement total amount not to exceed \$327,543 and authorizing the City Manager, or his designee, to execute the Agreement.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Escutia-Braaton/Wright; 7/0) Resolution 2025-392 approving an Agreement with Callander Associates, of Gold River, CA, to prepare conceptual design for the Pelandale Streetscape Improvement Project in the amount of \$297,766, plus \$29,777, if needed, for an Agreement total amount not to exceed \$327,543 and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

8. Consider approving the Plans and Specifications for the 2025 Playground Replacement Project, accepting the Bid and Awarding a Construction Contract to Jessop Holding Co. LLC dba Sierra Play Partners, of Ripon, CA, in the amount not to exceed \$1,311,124. (Funding Source: Measure H)

- Resolution approving the Plans and Specifications for the 2025 Playground Replacement Project, accepting the Bid and Awarding a Construction Contract to Jessop Holding Co., LLC dba Sierra Play Partners, of Ripon, CA, in the amount of \$1,214,003, authorizing \$97,121 for contingency (if needed), for a total payment amount not to exceed \$1,311,124, and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution amending the Fiscal Year 2025-26 Capital Improvement Program budget to fund Project #101603 (24/25 Deferred Maintenance – Measure H) and Project #101602 (24/25 Preventative Maintenance – Measure H) in an amount not to exceed \$68,443 in transfers, revenue, and to budget expenditures to fund the project, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-393 approving the Plans and Specifications for the 2025 Playground Replacement Project, accepting the Bid and Awarding a Construction Contract to Jessop Holding Co., LLC dba Sierra Play Partners, of Ripon, CA, in the amount of \$1,214,003, authorizing \$97,121 for contingency (if needed), for a total payment amount not to exceed \$1,311,124, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Wright/Williams; 7/0) Resolution 2025-394 amending the Fiscal Year 2025-26 Capital Improvement Program budget to fund Project #101603 (24/25 Deferred Maintenance – Measure H) and Project #101602 (24/25 Preventative Maintenance – Measure H) in an amount not to exceed \$68,443 in transfers, revenue, and to budget expenditures to fund the project, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

Consent

9. Consider accepting the Mary Grogan Community Park Parking Lot Resurfacing Project as complete, releasing securities, releasing payments totaling \$79,095 to DRT Grading & Paving, Inc. of Sunol, CA, and authorizing the City Clerk to file a Notice of Completion. (Funding Source: Measure H)

- Resolution accepting Mary Grogan Community Park Parking Lot Resurfacing Project as complete, releasing securities, releasing payments totaling \$79,095 to

DRT Grading & Paving, Inc. of Sunol, CA, and authorizing the City Clerk to file a Notice of Completion.

ENGINEERING SERVICES; Peter Kambel, 209-577-5444, pkambel@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-395 accepting Mary Grogan Community Park Parking Lot Resurfacing Project as complete, releasing securities, releasing payments totaling \$79,095 to DRT Grading & Paving, Inc. of Sunol, CA, and authorizing the City Clerk to file a Notice of Completion.

Consent

10. Consider accepting an Informational Report for the September 2025 Accounts Payable Payment Register and Void Report. (Funding Source: Not Applicable)

- Motion accepting an Informational Report for the September 2025 Accounts Payable Payment Register and Void Report.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Wright/Williams; 7/0) Motion accepting an Informational Report for the September 2025 Accounts Payable Payment Register and Void Report.

Consent

11. Consider accepting the Monthly Investment Report for August 2025. (Funding Source: Various Funds)

- Motion accepting the Monthly Investment Report for August 2025.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Wright/Williams; 7/0) Motion accepting the Monthly Investment Report for August 2025.

Consent

12. Consider approving an Agreement for the furnishing of External Auditing Services and Preparation of Financial Statements to Vasquez and Company LLP, Glendale, CA, for a total amount not to exceed \$972,800 over five years. (Funding Source: Various Funds)

- Resolution approving the Award of Proposal and Agreement for the furnishing of External Auditing Services and Preparation of Financial Statements to Vasquez and Company LLP, Glendale, CA, for a three-year Agreement with two one-year extension options, for an estimated annual amount of \$194,560, and a total amount not to exceed \$972,800 over five years; and authorizing the City Manager or his designee, to execute the Agreement.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-396 approving the Award of Proposal and Agreement for the furnishing of External Auditing Services and

Preparation of Financial Statements to Vasquez and Company LLP, Glendale, CA, for a three-year Agreement with two one-year extension options, for an estimated annual amount of \$194,560, and a total amount not to exceed \$972,800 over five years; and authorizing the City Manager or his designee, to execute the Agreement.

Consent

13. Consider introducing and waiving the first reading of an Ordinance repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code amending the City's Fire Code to adopt the 2025 California Fire Code. (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 amending the City's Fire Code to adopt the 2025 California Fire Code.

FIRE DEPARTMENT; David Bickle, 209-571-5553, dbickle@modestofire.com

ACTION: (Wright/Williams; 7/0) Motion introducing and waiving the first reading of an Ordinance repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code amending the City's Fire Code to adopt the 2025 California Fire Code.

Consent

14. Consider approving an Agreement for operation of the King-Kennedy Memorial Center to the West Modesto Community Collaborative of Modesto, CA, for ten years. (Funding Source: General Fund)
- Resolution approving the Award of Proposal and Agreement for operation of the King-Kennedy Memorial Center to the West Modesto Community Collaborative of Modesto, CA, for ten years; and authorizing the City Manager, or his designee to execute the Agreement.

PRN; John Skeel, 209-577-5216, jskeel@modestogov.com

ACTION: (Wright/Williams; 7/0) Resolution 2025-397 approving the Award of Proposal and Agreement for operation of the King-Kennedy Memorial Center to the West Modesto Community Collaborative of Modesto, CA, for ten years; and authorizing the City Manager, or his designee to execute the Agreement.

COUNCIL COMMENTS & REPORTS

- Councilmember Williams described a recent event hosted by Bristol Hospice of Northern California in Modesto, highlighting community support for individuals with loved ones in hospice care. He also noted an upcoming event on November 13th at the McHenry Museum honoring neighborhood heroes, encouraging community attendance.
- Councilmember Ricci discussed safety concerns on Orangeburg Avenue, citing reckless driving, DUI, and property damage, and suggested exploring daylighting street design to slow traffic. He also mentioned excitement about a new Kura revolving sushi restaurant opening November 14th at Vintage Faire Mall and called for regulation of e-bikes on local trails.

- Councilmember Alvarez addressed traffic safety concerns on Tuolumne Boulevard near Muni Golf Course, recommending a traffic calming assessment to address speeding and reckless driving, particularly on weekends. He also highlighted a nominated hometown hero, Blanca Marin, recognized for her work with the West Modesto Community Collaborative, and noted the upcoming citywide recognition event at the McHenry Museum.
- Mayor Zwahlen shared recent community events, including hosting trick-or-treaters at City Hall on Halloween, participating in a youth 10K run organized by the Police Department promoting character development, and attending the “Size Up” community launch with the Latino Chamber of Commerce, which provides comprehensive resources for starting a business in Modesto.

CITY MANAGER COMMENTS & REPORTS

None.

UNFINISHED BUSINESS

15. Consider an update regarding the Seventh Street Village Project as proposed, provide direction on current and additional funding for the project and direction on whether to hold the required Tax Equity and Fiscal Responsibility Act (TEFRA) hearing. (Funding Source: Various Funds)

- Motion to accept an update regarding the Seventh Street Village Project as proposed, provide direction on current and additional funding for the project and whether to hold the required Tax Equity and Fiscal Responsibility Act (TEFRA) hearing.

CED; Edgar Garcia, 209-571-5101, edgarcia@modestogov.com

ACTION: (Alvarez/Escutia-Braaton; 6/0; Williams Recused) Motion to accept an update regarding the Seventh Street Village Project as proposed, allocate no additional funding, and update scope to the connection of Dry Creek Trail to Downtown, and hold the required Tax Equity and Fiscal Responsibility Act (TEFRA) hearing.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:34 p.m.

Attest: _____
Dana Sanchez, Assistant City Clerk

All Closed Session Matters Heard Prior to the Meeting

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

One Case (Pursuant to Section 54956.9(a) of the Government Code)

Name of case(s): Robert Hill v. City of Modesto
 California Workers Compensation Appeals Board
 Nos. Unassigned

**Recused due to Conflict of Interest (Real Property Interest) – Williams*

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)(2) of the Government Code)

Letters from the American Civil Liberties Union Foundation and the First Amendment Coalition regarding Modesto Municipal Code Section 4-23.02 related to restrictions on use of specified items during public assembly.

MINUTES
City of Modesto
FINANCE COMMITTEE / COUNCIL WORKSHOP
2001-40 Del Puerto Room
Tenth Street Place, 1010 10th Street
Modesto, California
Monday, November 17, 2025 at 4:00 PM

Roll Call: Present: Committee Member Bavaro, Vice-Chair Wright, Chair Escutia-Braaton
Absent: None

PUBLIC COMMENTS PERIOD

None.

COMMENTS BY E-MAIL

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED:
ACTION CONSENT ITEMS 1-2 (Wright/Bavaro; 3/0)

CONSENT

Consent

1. Consider the payment for furnishing of street sweeping material receiving service and City-wide disposal services with various garbage disposal businesses located in Stanislaus County for a total amount not to exceed \$5,150,000 over five years, and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the payment for furnishing of street sweeping material receiving service and City-wide disposal services with various garbage disposal businesses located in Stanislaus County for a one-year agreement with four one-year extension options, for an estimated annual cost of \$1,030,000 and a total amount not to exceed \$5,150,000 over five years and forwarding to Council for approval.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the payment for furnishing of street sweeping material receiving service and City-wide disposal services with various garbage disposal businesses located in Stanislaus County for a one-year agreement with four one-year extension options, for an estimated annual cost of \$1,030,000 and a total amount not to exceed \$5,150,000 over five years and forwarding to Council for approval.

Consent

2. Consider the First Amendment with Bay City Electric Works of Livermore, CA, and PowerGen, Inc., of Tracy, CA for Generator Repair and Preventative Maintenance Services increasing the Agreement amount by \$1,070,064 and forwarding to Council for approval. (Funding Source: Various Funds)
 - Motion recommending the First Amendment with Bay City Electric Works and PowerGen, Inc for Generator Repair and Preventative Maintenance Services increasing the Agreement amount by \$1,070,064 to a new amount not to exceed \$2,284,864 over five years; and forwarding to Council for approval.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the First Amendment with Bay City Electric Works and PowerGen, Inc for Generator Repair and Preventative Maintenance Services increasing the Agreement amount by \$1,070,064 to a new amount not to exceed \$2,284,864 over five years; and forwarding to Council for approval.

UNFINISHED BUSINESS

3. Consider the Third Amendment with BrightView Golf Maintenance, Inc., Modesto, CA., in partnership with KemperSports Management, Northbrook, IL., for Golf Management and Maintenance Services increasing the Agreement amount by \$6,612,832 and extending the term of the Agreement from December 31, 2025 to December 31, 2026, and one one-year extension option (January 1, 2027 to December 31, 2027) and forwarding to Council for approval. (Funding Source: Golf Fund)
 - Motion recommending a Third Amendment to the Agreement with BrightView Golf Maintenance, Inc., Modesto, CA., in partnership with KemperSports Management, Northbrook, IL., for Golf Management and Maintenance Services increasing the Agreement amount by \$6,612,832, to a new estimated annual amount of \$3,306,416, a new total amount of \$20,775,570 through the term of the agreement and extending the term of the Agreement from December 31, 2025 to December 31, 2026 and one one-year extension option (January 1, 2027 to December 31, 2027); and forwarding to Council for approval.

PRN; Jessica Franco, 209-577-5278, jefranco@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending a Third Amendment to the Agreement with BrightView Golf Maintenance, Inc., Modesto, CA., in partnership with KemperSports Management, Northbrook, IL., for Golf Management and Maintenance Services increasing the Agreement amount by \$6,612,832, to a new estimated annual amount of \$3,306,416, a new total amount of \$20,775,570 through the term of the agreement and extending the term of the Agreement from December 31, 2025 to December 31, 2026 and one one-year extension option (January 1, 2027 to December 31, 2027); and forwarding to Council for approval.

NEW BUSINESS

4. Consider the Plans and Specifications for Dryden Clubhouse Renovation Project, accepting the Bid and Awarding a Construction Contract to Diede Construction, Inc. of

Lodi, CA., for a total amount not to exceed \$9,278,564; consider an Agreement with Dillon & Murphy Engineering, of Lodi, CA, for Construction Management and Inspection Services for a total amount not to exceed \$850,164; and consider an increase to the Green Fees and forwarding to Council for approval. (Funding Source: Various Funds)

- Motion recommending the approval of the Plans and Specifications for the Dryden Clubhouse Renovation Project, accepting the Bid and Awarding a Construction Contract to Diede Construction, Inc. of Lodi, CA., in the amount of \$8,591,263, authorizing \$687,301, in contingency (if needed), for a total amount not to exceed \$ 9,278,564, and forwarding to Council for approval.
- Motion recommending the approval of an Agreement with Dillon & Murphy Engineering, of Lodi, CA, for Construction Management and Inspection Services for the Dryden Clubhouse Renovation Project in the amount of \$772,876, plus \$77,288 in additional services, if needed, for a total amount not to exceed \$850,164, and forwarding to Council for approval.
- Motion recommending amending the Fiscal Year 2025-26 Capital Improvement Program budget to fund Project #101294 (Dryden Clubhouse Renovation) in an amount not to exceed \$7,723,929, in transfers, revenue, and to budget expenditures to fund the project, and forwarding to Council for approval.
- Motion recommending the issuance of an interfund loan in an amount not to exceed \$4,930,841 from the Water Fund 4100 to the Golf Fund 4600 for the construction for Project 101294 Dryden Clubhouse Renovation to include an interest rate on the loan equal to the actual rate of return earned by the City's investment portfolio during the 12-month period immediately preceding the payment date and forwarding to Council for approval.
- Motion providing guidance to staff regarding the increase to the Green Fees and forwarding that to Council for approval.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Wright/Bavaro; 3/0) Motion recommending the approval of the Plans and Specifications for the Dryden Clubhouse Renovation Project, accepting the Bid and Awarding a Construction Contract to Diede Construction, Inc. of Lodi, CA., in the amount of \$8,591,263, authorizing \$687,301, in contingency (if needed), for a total amount not to exceed \$ 9,278,564, and forwarding to Council for approval.

ACTION: (Wright/Bavaro; 3/0) Motion recommending the approval of an Agreement with Dillon & Murphy Engineering, of Lodi, CA, for Construction Management and Inspection Services for the Dryden Clubhouse Renovation Project in the amount of \$772,876, plus \$77,288 in additional services, if needed, for a total amount not to exceed \$850,164, and forwarding to Council for approval.

ACTION: (Wright/Bavaro; 3/0) Motion recommending amending the Fiscal Year 2025-26 Capital Improvement Program budget to fund Project #101294 (Dryden Clubhouse Renovation) in an amount not to exceed \$7,723,929, in transfers, revenue, and to budget expenditures to fund the project, and forwarding to Council for approval.

ACTION: (Wright/Bavaro; 3/0) Motion recommending the issuance of an interfund loan in an amount not to exceed \$4,930,841 from the Water Fund 4100 to the Golf Fund 4600 for the construction for Project 101294 Dryden Clubhouse Renovation to include an interest rate on the loan equal to the actual rate of return earned by the City's investment portfolio during the 12-month period immediately preceding the payment date and forwarding to Council for approval.

ACTION: (Wright/Bavaro; 3/0) Motion providing guidance to staff regarding the increase to the Green Fees and forwarding that to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:43 p.m.

Attest: _____
Andrea Cook, Deputy City Clerk

MINUTES

City of Modesto

SPECIAL CITY COUNCIL MEETING

City Council Workshop Regarding Team Building,
Goals and Budget Priorities for Fiscal Year 26/27

Pistache and Ginkgo Rooms, Centre Plaza

1001 K Street

Modesto, California

Tuesday, November 18, 2025 at 8:30 AM

Roll Call – Present: Councilmembers Alvarez (arrived at 8:34 A.M.), Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen

Absent: None

Declaration of Conflicts of Interest: Councilmember Williams will be recusing himself on the portion that pertains to the soccer stadium.

PUBLIC COMMENT PERIOD

- Dean Richardson, a lifelong Modesto resident and member of Urban Forest Modesto, urges the City Council to continue supporting the Forestry Division. He highlights past neglect of city street trees due to budget limits, acknowledges recent funding improvements from Measure H, and emphasizes that restoring the urban forest is a long-term effort. He asks the Council to uphold its goals for beautification, reforestation, and ordinance updates to help create a healthy, well-maintained urban forest for the community.
- Amanda Rodriguez raises concerns about student safety and traffic issues around Orchard Elementary. She describes years of difficulty getting effective responses from the City regarding dangerous traffic, inadequate signage, and poorly maintained trees that block visibility. She reports near-miss accidents, limited help from school and city departments, and frustration with inconsistent enforcement and communication. She also expresses concern about student safety related to a nearby registered sex offender and limited communication allowed between parents.

UNFINISHED BUSINESS

Break Recess 9:34 A.M. Resumed 9:40 A.M.

Break Recess 9:55 A.M. Resumed 10:05 A.M.

Lunch Recess 11:16 A.M. Resumed 11:46 A.M.

Break Recess 12:37 P.M. Resumed 12:51 P.M.

Councilmember Ricci left 1:28 P.M., returned 1:41 P.M.

1. City Council Workshop Regarding Team Building, Goals and Budget Priorities for Fiscal Year 26/27. (Funding Source: Not Applicable)
 - City Council Workshop Regarding Team Building, Goals and Budget Priorities for Fiscal Year 26/27.
CITY COUNCIL; Sue Zwahlen, 209-571-5597, szwahlen@modestogov.com

ACTION: No reportable action.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 2:12 P.M.

Attest: _____
Diane Nayaes-Perez, City Clerk

MINUTES
City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, November 25, 2025 at 5:30 PM

Special City Council – Closed Session Meeting 4:45 p.m.

Roll Call- Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting 5:30 p.m.

Roll Call- Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: Pastor Darrell Cummings, Christ Community Church

City Clerk’s Announcements: None.

Declaration of Conflicts of Interest: Item 12 – Councilmember Williams recused due to location of project to Real Property Interest.

Reports from Closed Session: No reportable action.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring November 29th as Small Business Saturday. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented proclamation declaring November 29th as Small Business Saturday.

2. Proclamation declaring November as Lung Cancer Awareness Month. (Funding Source: Not Applicable)
CITY COUNCIL; Breanna Griffin, 209-577-5421, bgriffin@modestogov.com

ACTION: Mayor Zwahlen presented proclamation declaring November as Lung Cancer Awareness Month.

PUBLIC COMMENT PERIOD

- Hillary Moak, a local resident and the Central Valley Program Director for the Yosemite Rivers Alliance, reported recent community projects at the Tuolumne River Regional Park, including a community planting day, a river cleanup, and a community hike. She noted upcoming events such as MJC’s Turkey Trot and highlighted the need for Commissioners to ensure quorum for the December 10th TRRP Commission meeting.
- Danielle Morgart from the Office of Assemblyman Juan Alanis reported on a large set of recently signed state bills affecting cities. The new laws focus on housing and land-use reforms, CEQA streamlining, transparency and Brown Act updates, homelessness program requirements, short-term rental enforcement, and cybersecurity provisions. Many take effect January 1, with others phased in through 2026. She noted major changes to ADU processing, density rules, and infill project approvals, as well as new homelessness reporting standards and short-term rental data-sharing requirements. Her office has provided a detailed document outlining each bill and its timeline.
- Dan Vega, a Modesto resident, addressed the proposed \$188 million soccer stadium, noting that City resources could instead be allocated to essential needs, including affordable housing, mental health services, community facilities, and emergency preparedness. He stated that the City currently does not maintain emergency food or water reserves and suggested that a modest investment could provide basic supplies for residents. He recommended storing these supplies in multiple locations and distributing them through City services and trained volunteers during emergencies.
- Juan Telles, a West Modesto resident, recognized Councilmember Williams for attending recent youth-focused and technology events. He highlighted the upcoming December 9, 2026 Innovation Social to discuss AI, blockchain, and technology investments, and noted plans for a New Year’s Day hike with VIP, Latino Outdoors, and Powerade. He also mentioned the California State Park’s ongoing envisioning process, which ends January 4, encouraging public input on its future development.
- Jerry Thompson provided an update on the Modesto High School’s police car lowrider project. The final assembly phase was completed, and the car will move to MJC West Campus for body and paint work. Students installed airbags and other components, gaining hands-on experience beyond standard maintenance. He also noted that the new baseball club owner, David Heller, engaged with the community to address feedback, and he thanked those who supported the process.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 3-8 (Wright/Alvarez; 7/0)

CONSENT

Consent

3. Consider approving the minutes for the November 4, 2025 Council Meeting. (Funding Source: Not Applicable)

- Motion approving the minutes for the November 4, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Motion approving the minutes for the November 4, 2025 Council Meeting.

Consent

4. Consider accepting the Fiscal Year 2025-2026 Cal Fire Volunteer Fire Capacity (VFC) Program Grant Award in the amount of \$20,000, with a 50% Local Match, for the Procurement of Wildland Personal Protective Equipment. (Funding Source: General Fund)

- Resolution accepting the Fiscal Year 2025-2026 Cal Fire Volunteer Fire Capacity (VFC) Program Grant Award in the amount of \$20,000, with a 50% Local Match, for the Procurement of Wildland Personal Protective Equipment, and authorizing the City Manager, or his designee, to execute the grant Agreement.

FIRE DEPARTMENT; Kevin Wise, 209-572-9590, kwise@modestofire.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-398 accepting the Fiscal Year 2025-2026 Cal Fire Volunteer Fire Capacity (VFC) Program Grant Award in the amount of \$20,000, with a 50% Local Match, for the Procurement of Wildland Personal Protective Equipment, and authorizing the City Manager, or his designee, to execute the grant Agreement.

Consent

5. Consider the First Amendment with George Hills Company, Rancho Cordova, CA, for Third-Party Administration (TPA) of the City's General Liability Claims increasing the Agreement amount by \$284,500 and a new total not to exceed \$2,284,500 to complete the term of the Agreement. (Funding Source: General Liability Fund)

- Resolution approving the First Amendment to the Agreement with George Hills Company, Rancho Cordova, CA, for Third-Party Administration of the City's General Liability Claims increasing the Agreement amount by \$284,500 and a new total not to exceed \$2,284,500 to complete the term of the Agreement and authorizing the City Manager or his designee to execute the Amendment.

HUMAN RESOURCES; Christina Alger, 209-571-5126, calger@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-399 approving the First Amendment to the Agreement with George Hills Company, Rancho Cordova, CA, for Third-Party Administration of the City's General Liability Claims increasing the Agreement amount by \$284,500 and a new total not to exceed \$2,284,500 to complete the term of the Agreement and authorizing the City Manager or his designee to execute the Amendment.

Consent

6. Consider the Second Amendment with Greentek Services, LLC, Oroville, CA, for Tree Pruning and Removal Services, increasing the Agreement amount by \$960,000 and Rumble Tree, Inc., Modesto, CA for Tree Pruning and Removal Services increasing the Agreement amount by \$690,000. (Funding Source: Measure H Fund)
- Resolution recommending the Second Amendment for Tree Pruning and Removal Services with Greentek Services, LLC, Oroville, CA, increasing the Agreement amount by \$960,000 to a new total amount of \$4,435,000 and for Tree Removal and Stump Grinding Services with Rumble Tree, Inc., Modesto, CA increasing the Agreement amount by \$690,000 for a new total amount of \$3,604,350 and a total amount not to exceed between both Agreements of \$8,039,350; authorizing the Director of Finance to adjust Agreement totals between vendors based on contractor's availability and department's needs, ensuring the combined total amount does not change and authorizing the City Manager, or his designee, to execute the Amendments.

PUBLIC WORKS; Mike Johnson, 209-342-4566, mjohnson@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-400 recommending the Second Amendment for Tree Pruning and Removal Services with Greentek Services, LLC, Oroville, CA, increasing the Agreement amount by \$960,000 to a new total amount of \$4,435,000 and for Tree Removal and Stump Grinding Services with Rumble Tree, Inc., Modesto, CA increasing the Agreement amount by \$690,000 for a new total amount of \$3,604,350 and a total amount not to exceed between both Agreements of \$8,039,350; authorizing the Director of Finance to adjust Agreement totals between vendors based on contractor's availability and department's needs, ensuring the combined total amount does not change and authorizing the City Manager, or his designee, to execute the Amendments.

Consent

7. Consider approving the purchase of 30,487 square feet of real property located at Assessor's Parcel Number 016-034-014-000, Grayson, CA, owned by Stanislaus County for \$91,461, plus \$10,000 in closing costs to be used for the Grayson Water Infrastructure Improvements Project. (Funding Source: Water Fund)
- Resolution approving the purchase of 30,487 square feet of Real Property located at Assessor's Parcel Number 016-034-014-000, Grayson, CA owned by Stanislaus County for \$91,461, plus \$10,000 in closing costs, to be used for the Grayson Water Infrastructure Project, and authorizing the City Manager, or his designee, to execute the Purchase and Sale Agreement and all related documents required to complete the transaction.
 - Resolution approving an Amendment to the Fiscal Year 2025-26 Capital Improvement Program Budget in the amount of \$100,000 to fund the Purchase of Real Property for the Grayson Water Infrastructure Improvements Project and authorizing the City Manager, or his designee, to implement the provisions of the Resolution.

UTILITIES; Edgar Vargas, 209-577-5424, evargas@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-401 approving the purchase of 30,487 square feet of Real Property located at Assessor’s Parcel Number 016-034-014-000, Grayson, CA owned by Stanislaus County for \$91,461, plus \$10,000 in closing costs, to be used for the Grayson Water Infrastructure Project, and authorizing the City Manager, or his designee, to execute the Purchase and Sale Agreement and all related documents required to complete the transaction.

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-402 approving an Amendment to the Fiscal Year 2025-26 Capital Improvement Program Budget in the amount of \$100,000 to fund the Purchase of Real Property for the Grayson Water Infrastructure Improvements Project and authorizing the City Manager, or his designee, to implement the provisions of the Resolution.

Consent

8. Consider approving an Agreement with Badger Meter, Inc., Milwaukee, WI for BEACON AMA Software as a Service (SaaS), meter reads and associated hardware for a total amount not to exceed \$398,194 over five (5) years. (Funding Source: Water Fund)
- Resolution approving the Sole Source Agreement with Badger Meter, Inc., Milwaukee, WI for BEACON AMA Software as a Service (SAAS), meter reads and associated hardware for a two-year Agreement with three one-year extension options, for an estimated annual amount of \$67,682 and a total amount not to exceed \$398,194 over five (5) years; and authorizing the City Manager, or his designee, to execute the Agreement.

UTILITIES; Manuel Martinez, 209-342-4592, mmartinez@modestogov.com

ACTION: (Wright/Alvarez; 7/0) Resolution 2025-403 approving the Sole Source Agreement with Badger Meter, Inc., Milwaukee, WI for BEACON AMA Software as a Service (SAAS), meter reads and associated hardware for a two-year Agreement with three one-year extension options, for an estimated annual amount of \$67,682 and a total amount not to exceed \$398,194 over five (5) years; and authorizing the City Manager, or his designee, to execute the Agreement.

COUNCIL COMMENTS & REPORTS

- Councilmember Wright reported that crime in Modesto is down across all categories compared to last year, including a 100% reduction in homicides. He acknowledged the work of the Police Department, Chief Gillespie, the Chat Team, and Community Service Personnel in contributing to public safety.
- Councilmember Alvarez acknowledged David Heller, the Roadster’s owner, for engaging with the community. He highlighted the South Modesto Businesses United annual Christmas Posada on December 3, which provides free gifts, food, and groceries to families. He also provided an update on the Cesar Chavez Park renovation, noting progress on the skate park, infrastructure, and public restrooms, with the project currently on schedule.

- Councilmember Ricci acknowledged David Heller and the Modesto Baseball Club for engaging with the community, including hiring J.T. Snow as manager and selecting the team's name. He also echoed Councilmember Wright's comments on the effectiveness of the Police Department in reducing crime through technology and staffing. Additionally, he recognized the work of Lilly, Betty, and Jerry on the Modesto High School lowrider project, noting the skills students are gaining and the community collaboration involved.
- Councilmember Williams recognized the new baseball team name and the South Modesto toy giveaway and mentioned an upcoming tree lighting. He thanked participants in the Veterans Day Parade, which honored multiple military branches and featured a large photo display. He noted that while crime rates are down, traffic safety remains a concern during the holiday season.
- Councilmember Escutia-Braaton noted the positive reception of the newly named baseball team, the Roadsters, and highlighted the owner's commitment to the community. She recognized local small businesses, including JS West and Mancini Sleep World, for their contributions and expansions within Modesto. She also mentioned the upcoming December 1st tree lighting hosted by South Modesto Businesses United and encouraged community participation.
- Mayor Zwahlen highlighted recent community events and initiatives she attended, including the Stanislaus State BioCirCA Conference, the City Ministry Network presentation on economic development, the annual Ruby Bridges commemorative walk, the Modesto Children's Museum Subaru "Share the Love" event, the Modesto Police Department promotions ceremony, and the Giving Machine at the Modesto Mall, which supports local and global nonprofits.

CITY MANAGER COMMENTS & REPORTS

- City Manager Lopez expressed gratitude to Chief Kevin Wise for his years of service to the community and wished him well in retirement, noting that his last day is Monday.

HEARINGS

Published in the Modesto Bee on November 9, 2025

9. Hearing to consider accepting the Fiscal Year 2024-25 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 2024-25 Annual Report of Funds Held for Future Improvements and making findings related to each security on file.

CED; Edgar Garcia, 209-577-5211, edgarcia@modestogov.com

ACTION: (Williams/Wright; 7/0) Resolution 2025-404 accepting the Fiscal Year 2024-25 Annual Report of Funds Held for Future Improvements and making findings related to each security on file.

Published in the Modesto Bee on November 9, 2025.

10. Hearing to consider accepting the Capital Facilities Fees Annual Report for Fiscal Year 2024-25 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 2024-25 and making findings related to each of the fee categories.

CED; Sean Rando, 209-577-5211, srando@modestogov.com

ACTION: (Escutia-Braaton/Wright; 7/0) Resolution 2025-405 accepting the Capital Facilities Fees Annual Report for Fiscal Year 2024-25 and making findings related to each of the fee categories.

Published in the Modesto Bee on November 14, 2025.

11. Hearing to rezone the property located at 3401 N. McClure Road from Highway Commercial to Low Density Residential. (Funding Source: Application Fee)

- Resolution certifying and adopting the CEQA Initial Study / Mitigated Negative Declaration EA/C&ED No. 2025-19 for a proposed rezone from Highway Commercial (C-3) to Low-Density Residential (R-1) at the property located at 3401 N. McClure Road.
- Motion introducing and waiving the first reading of an Ordinance amending Section 25-3-9 of the zoning map of the City of Modesto to rezone from Highway Commercial (C-3) zone to Low Density Residential (R-1) zone, property located at 3401 N. McClure Road. (Self Help Enterprises)

CED; Vanessa Castro, 209-577-5282, vcastro@modestogov.com

ACTION: (Bavaro/Williams; 7/0) Resolution 2025-406 certifying and adopting the CEQA Initial Study / Mitigated Negative Declaration EA/C&ED No. 2025-19 for a proposed rezone from Highway Commercial (C-3) to Low-Density Residential (R-1) at the property located at 3401 N. McClure Road.

ACTION: (Bavaro/Escutia-Braaton; 7/0) Motion introducing and waiving the first reading of **Ordinance 3803-C.S.** amending Section 25-3-9 of the zoning map of the City of Modesto to rezone from Highway Commercial (C-3) zone to Low Density Residential (R-1) zone, property located at 3401 N. McClure Road. (Self Help Enterprises)

Councilmember Williams Recused

Published in the Modesto Bee on November 16, 2025.

12. Hearing to approve the issuance of bonds by the California Municipal Finance Authority (CMFA) for the benefit of Seventh Street Village LP to provide for the financing of the Seventh Street Village project, for the purposes of satisfying the

requirements of the Tax and Equity Fiscal Responsibility Act of 1982 (TEFRA), issuance of a HOME Investment Partnership Loan in an amount not to exceed \$5,000,000, and approval of a license agreement for placement of private stormwater facilities in right-of-way. (Funding Source: Community Development Block Grant and HOME Investment Partnerships)

- Resolution of the City Council of Modesto approving a plan of finance of the California Municipal Financial Authority to issue and reissue revenue bonds for a qualified residential rental project for the benefit of Seventh Street Village LP, and certain other matters relating thereto.
- Resolution approving a HOME Investment Partnership program loan in a total amount not to exceed \$5,000,000 at 3% simple interest to begin accrual after the issuance of Certificate of Occupancy to Visionary Home Builders of California, Inc., a California non-profit, Stockton, CA, for the development of Seventh Street Village, an additional \$150,000 for staff activity delivery, and authorizing the City Manager or his designee to negotiate and execute Agreements.
- Resolution approving a License Agreement for the placement of stormwater facilities in the public right-of-way property located at 914-930 7th Street, Modesto, California also known as Stanislaus County Assessor's parcel numbers 104-006-007, 104-006-008, 104-006-009, 104-006-010 to Visionary Home Builders of California, Inc, a California nonprofit, Stockton, CA for the development of Seventh Street Village, and authorizing the City Manager or his designee to negotiate and execute Agreements.
- Resolution approving a First Amendment to the Community Development Block Grant (CDBG) funded loan in a total amount not to exceed \$2,000,000 at 3% simple interest for 55-years to begin accrual after issuance of Certificate of Occupancy, for acquisition, predevelopment, site improvements, and off-site improvements of Seventh Street Village, and authorizing the City Manager or his designee to negotiate and execute the Amendment.

CED; Edgar Garcia, 209-571-5101, edgarcia@modestogov.com

ACTION: (Alvarez/Wright; 6/0; Williams Recused) Resolution 2025-407 of the City Council of Modesto approving a plan of finance of the California Municipal Financial Authority to issue and reissue revenue bonds for a qualified residential rental project for the benefit of Seventh Street Village LP, and certain other matters relating thereto.

ACTION: (Alvarez/Escutia-Braaton; 6/0; Williams Recused) Resolution 2025-408 approving a HOME Investment Partnership program loan in a total amount not to exceed \$5,000,000 at 3% simple interest to begin accrual after the issuance of Certificate of Occupancy to Visionary Home Builders of California, Inc., a California non-profit, Stockton, CA, for the development of Seventh Street Village, an additional \$150,000 for staff activity delivery, and authorizing the City Manager or his designee to negotiate and execute Agreements.

ACTION: (Escutia-Braaton/Alvarez; 6/0; Williams Recused) Resolution 2025-409 approving a License Agreement for the placement of stormwater facilities in the public right-of-way property located at 914-930 7th Street, Modesto, California also known as Stanislaus County Assessor’s parcel numbers 104-006-007, 104-006-008, 104-006-009, 104-006-010 to Visionary Home Builders of California, Inc, a California nonprofit, Stockton, CA for the development of Seventh Street Village, and authorizing the City Manager or his designee to negotiate and execute Agreements.

ACTION: (Alvarez/Williams; 6/0; Williams Recused) Resolution 2025-410 approving a First Amendment to the Community Development Block Grant (CDBG) funded loan in a total amount not to exceed \$2,000,000 at 3% simple interest for 55-years to begin accrual after issuance of Certificate of Occupancy, for acquisition, predevelopment, site improvements, and off-site improvements of Seventh Street Village, and authorizing the City Manager or his designee to negotiate and execute the Amendment.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:58 p.m.

Attest: _____
Dana Sanchez, Assistant City Clerk

All Closed Session Matters Heard Prior to the Meeting

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION

One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

Letters from the American Civil Liberties Union Foundation and the First Amendment Coalition regarding Modesto Municipal Code Section 4-23.02 related to restrictions on use of specified items during public assembly

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, December 02, 2025 at 5:30 PM

Special City Council – Closed Session Meeting 4:15 p.m.

Roll Call- Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting 5:30 p.m.

Roll Call- Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: Greg Maszta, Deacon at Saint Paul's Episcopal Church

City Clerk’s Announcements: A Spanish interpreter is available at the front of the Chambers for anyone who needs assistance.

Declaration of Conflicts of Interest: None.

Reports from Closed Session: No reportable action.

PUBLIC COMMENT PERIOD

- Steven Villarreal, a representative from the lowrider committee thanked the City Council and Mayor for their support of recent community events, including the Lowrider Holiday and an event at Graceada Park. He presented plaques as a gesture of appreciation and noted that many committee members wished they could have attended.
- Milt Trieweller urged the community to protect the county’s uniquely valuable farmland. He emphasized its irreplaceable soils, irrigation resources, and climate, stressing that it must be preserved for future generations. He called for stopping development on farmland within the irrigation districts and instead focusing growth on City infill and blighted areas. He said safeguarding this farmland is a responsibility to children and descendants who cannot advocate for themselves.
- Dan Vega expressed concern about the consistent Christian prayer given after the Pledge of Allegiance at recent meetings. He questioned whether it is appropriate or

constitutional, noting that it may unintentionally promote a single religion. He suggested allowing prayers during public comment instead of making them part of the meeting's standard procedure.

- A speaker raised concerns about the City's handling of Municipal Code 4.23, saying the process lacks transparency, gives too much influence on police, and doesn't reflect meaningful community input. She said the Ordinance was misused during the June protest, the rewrite makes no real changes, and important oversight recommendations and legal findings were not addressed. She urged the Council to release the Attorney's report, provide evidence for its claims, and listen to the community.
- Kevin McClarty urged the Council to address the lack of late-night businesses west of McHenry Avenue, noting that pharmacies and most restaurants now close early due to theft concerns and changing policies. He asked the City to encourage development to revitalize the area and avoid it becoming a "ghost town" at night.
- Steve addressed City officials' treatment of community members, families, and individuals with mental health crises, citing police violence and disrespectful behavior by staff. He also spoke against systemic targeting of Afghan residents and urged the Council to stand up for marginalized groups and uphold democratic values.
- Rochelle Levi, NAACP Religious Affairs Chair, announced the passing of Gladys Williams, a lifetime member and former NAACP president. Williams was a longtime educator and community advocate who fought for equity and civil rights. A private service will be held in February to honor her contributions to the City.
- Anthony Drobnick spoke about the underfunding of Modesto's Community Police Review Board (CPRB). He urged the Council to reallocate part of the Police Department's budget to provide the CPRB with funding, stipends, and the ability to hold police accountable. He emphasized that a well-funded CPRB would improve community safety and trust and called for meaningful support rather than symbolic gestures.
- A speaker criticized the handling of the mask Ordinance survey, saying it lacked context and misled respondents about its purpose. They stressed that a proper survey should explain the background, such as arrests of peaceful protesters, before asking for support, and compared the issue to other laws that appear sensible but have been applied unfairly.
- Harlan Diven called for an independent investigation into the June 14th protest arrests, arguing that organizers and speakers were targeted, and First Amendment rights were chilled. She noted the Community Police Review Board's recommendations have been ignored and emphasized the need for City action to address distrust in the police.
- Nora Garcia expressed concern about the City hosting Christian prayers at Council meetings and public events, arguing that it is exclusionary, potentially unconstitutional, and alienates people of other faiths or no religion, discouraging their involvement in City government.

- Laura Plascencia urged the Modesto City Council to take action against ICE operations in Stockton, citing reports of people being detained without due process and separated from their families. They asked the Council to use its influence to help remove ICE from the area and ensure detainees are returned to their families safely.
- Dr. Samuel Ephraim expressed appreciation for Modesto’s police officers and firefighters, emphasizing their dedication and the risks they take to protect the community. He shared a personal connection to law enforcement and urged residents to recognize and value their service.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 1, 3-9 (Alvarez/Williams; 7/0)

CONSENT

Consent

1. Consider approving the minutes for the November 25, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the November 25, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Alvarez/Williams; 7/0) Motion approving the minutes for the November 25, 2025 Council Meeting.

Removed from Consent

2. Consider approving Final Adoption of Ordinance 3803-C.S. amending Section 25-3-9 Of the Zoning Map of the City of Modesto to Rezone from Highway Commercial (C-3) Zone, to Low Density Residential (R-1) Zone, property located at 3401 N. McClure Road (Self Help Enterprises) (Funding Source: Not Applicable)
 - Motion approving Final Adoption of Ordinance 3803-C.S. amending Section 25-3-9 Of the Zoning Map of the City of Modesto to Rezone from Highway Commercial (C-3) Zone, to Low Density Residential (R-1) Zone, property located at 3401 N. McClure Road (Self Help Enterprises)
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Bavaro/Wright; 7/0) Motion approving Final Adoption of **Ordinance 3803-C.S.** amending Section 25-3-9 Of the Zoning Map of the City of Modesto to Rezone from Highway Commercial (C-3) Zone, to Low Density Residential (R-1) Zone, property located at 3401 N. McClure Road (Self Help Enterprises)

Consent

3. Consider approving a Fourth Amendment to the Legal Services Agreement with Swingle, Van Egmond, Heitlinger for continued representation in tort cases, to adjust hourly rates and increasing the amount by \$250,000 and Fifth Amendment to the Legal Services Agreement with Sanders Roberts, LLP for continued representation in

personnel matters, increasing the agreement amount by \$200,000. (Funding Source: General Liability Insurance Fund)

- Resolution approving a Fourth Amendment to the Legal Services Agreement with Swingle, Van Egmond & Heitlinger adjusting hourly rates and increasing the agreement amount by \$250,000, for a total Agreement amount not to exceed \$1,200,000 for continued representation in tort cases, and authorizing the City Manager or his designee, to execute the Amendment.
- Resolution approving a Fifth Amendment to the Legal Services Agreement with Sanders Roberts, LLP increasing the agreement amount by \$200,000, for a total Agreement amount not to exceed \$895,000, for continued representation in personnel matters, and authorizing the City Manager, or his designee, to execute the Amendment.

CITY ATTORNEY; Jose Sanchez, 209-577-5284, jsanchez@modestogov.com

ACTION: (Alvarez/Williams; 7/0) Resolution 2025-411 approving a Fourth Amendment to the Legal Services Agreement with Swingle, Van Egmond & Heitlinger adjusting hourly rates and increasing the agreement amount by \$250,000, for a total Agreement amount not to exceed \$1,200,000 for continued representation in tort cases, and authorizing the City Manager or his designee, to execute the Amendment.

ACTION: (Alvarez/Williams; 7/0) Resolution 2025-412 approving a Fifth Amendment to the Legal Services Agreement with Sanders Roberts, LLP increasing the agreement amount by \$200,000, for a total Agreement amount not to exceed \$895,000, for continued representation in personnel matters, and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

4. Consider accepting the West Trunk Sewer Rehabilitation Project as complete, releasing securities, releasing payments totaling \$19,069,333 to SAK Construction, LLC of O’Fallon, MO, and authorizing the City Clerk to file a Notice of Completion (Funding Source: Wastewater Fund)

- Resolution accepting West Trunk Sewer Rehabilitation Project as complete, releasing securities, releasing payments totaling \$19,069,333 to SAK Construction, LLC of O’Fallon, MO, and authorizing the City Clerk to file a Notice of Completion.

ENGINEERING SERVICES; Peter Kambel, 209-577-5444, pkambel@modestogov.com

ACTION: (Alvarez/Williams; 7/0) Resolution 2025-413 accepting West Trunk Sewer Rehabilitation Project as complete, releasing securities, releasing payments totaling \$19,069,333 to SAK Construction, LLC of O’Fallon, MO, and authorizing the City Clerk to file a Notice of Completion.

Consent

5. Consider accepting the Monthly Investment Report for September 2025. (Funding Source: Various Funds)

- Motion accepting the Monthly Investment Report for September 2025.

FINANCE DEPARTMENT; Calogero Maniscalco, 209-577-5219, cmaniscalco@modestogov.com

ACTION: (Alvarez/Williams; 7/0) Motion accepting the Monthly Investment Report for September 2025.

Consent

6. Consider accepting an Informational Report on the September and October 2025 Grant Applications and Awards. (Funding Source: Not Applicable)

- Motion accepting an Informational Report for September and October 2025, Grant Applications and Awards.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Alvarez/Williams; 7/0) Motion accepting an Informational Report for September and October 2025, Grant Applications and Awards.

Consent

7. Consider accepting an Informational Report for the October 2025 Accounts Payable Payment Register and Void Report. (Funding Source: Not Applicable)

- Motion accepting an Informational Report for the October 2025 Accounts Payable Payment Register and Void Report.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Alvarez/Williams; 7/0) Motion accepting an Informational Report for the October 2025 Accounts Payable Payment Register and Void Report.

Consent

8. Consider approving the payment for furnishing of street sweeping material receiving service and City-wide disposal services with various garbage disposal businesses located in Stanislaus County for a total amount not to exceed \$5,150,000 over five years. (Funding Source: Various Funds)

- Resolution approving the payment for furnishing of street sweeping material receiving service and City-wide disposal services with various garbage disposal businesses located in Stanislaus County for a one-year Agreement with four one-year extension options, for an estimated annual cost of \$1,030,000 and a total amount not to exceed \$5,150,000 over five years; and authorizing the Director of Finance or her designee, to issue the Purchase Order.

FINANCE DEPARTMENT; Dianne Love, 209-571-5164, dlove@modestogov.com

ACTION: (Alvarez/Williams; 7/0) Resolution 2025-414 approving the payment for furnishing of street sweeping material receiving service and City-wide disposal services with various garbage disposal businesses located in Stanislaus County for a one-year Agreement with four one-year extension options, for an estimated annual cost

of \$1,030,000 and a total amount not to exceed \$5,150,000 over five years; and authorizing the Director of Finance or her designee, to issue the Purchase Order.

Consent

9. Consider approving the Third Amendment with BrightView Golf Maintenance, Inc., Modesto, CA., in partnership with KemperSports Management, Northbrook, IL., for Golf Management and Maintenance Services increasing the Agreement amount by \$6,612,832 and extending the term of the Agreement from December 31, 2025 to December 31, 2026, with a one one-year extension option from January 1, 2027 to December 31, 2027. (Funding Source: Golf Fund)
 - Resolution approving the Third Amendment to the Agreement with BrightView Golf Maintenance, Inc., Modesto, CA., in partnership with KemperSports Management, Northbrook, IL., for Golf Management and Maintenance Services increasing the Agreement amount by \$6,612,832, to a new estimated annual amount of \$3,306,416, a new total amount of \$20,775,570 through the term of the agreement and extending the term of the Agreement from December 31, 2025 to December 31, 2026 with a one one-year extension option from January 1, 2027 to December 31, 2027; and authorizing the City Manager, or his designee to execute the Amendment.

PRN; Jessica Franco, 209-577-5278, jeffranco@modestogov.com

ACTION: (Alvarez/Williams; 7/0) Resolution 2025-415 approving the Third Amendment to the Agreement with BrightView Golf Maintenance, Inc., Modesto, CA., in partnership with KemperSports Management, Northbrook, IL., for Golf Management and Maintenance Services increasing the Agreement amount by \$6,612,832, to a new estimated annual amount of \$3,306,416, a new total amount of \$20,775,570 through the term of the agreement and extending the term of the Agreement from December 31, 2025 to December 31, 2026 with a one one-year extension option from January 1, 2027 to December 31, 2027; and authorizing the City Manager, or his designee to execute the Amendment.

COUNCIL COMMENTS & REPORTS

- Councilmember Alvarez invited the community to the South Modesto Businesses United Annual Christmas Posada, featuring free toys, grocery bags, and hot chocolate. He also encouraged City committee members and commissioners to attend and contribute their expertise to community planning.
- Councilmember Williams advised a service for Gladys Williams will be held on February 20th at 11:00 a.m. at 825 Seventh Street in Modesto, following her cremation, to celebrate her life.
- Councilmember Ricci addressed reforms for Stanislaus Animal Services, advocating for a nonprofit model, spay/neuter and TNR programs, and better support for volunteers. He also highlighted upcoming improvements at Mancini Park using Measure H funds and

noted that Center Plaza’s challenges stem from deferred maintenance and ongoing budget deficits.

- Vice-Mayor Bavaro shared insights from his 13th ride-along with Modesto Police’s Crime Reduction Team, highlighting their work on neighborhood safety, addressing drug activity, and removing illegal firearms and fireworks. He noted the team will expand from six to eight officers.
- Mayor Zwahlen highlighted the upcoming 2050 General Plan Update community meetings on December 16–18th, shared her experience serving meals at the Modesto Gospel Mission, attended Fire Chief Wise’s retirement ceremony, and participated in the South Modesto Business United Tree Lighting event.

CITY MANAGER COMMENTS & REPORTS

None.

NEW BUSINESS

10. Consider approving an Urgency Ordinance and Non-Urgency Ordinance Amending the City of Modesto Municipal Code Title 4, Chapter 23, “Restrictions on use of Specified Items During Public Assembly,” providing various revisions to the time, place and manner regulations as to public assemblies. (Funding Source: Not Applicable)
 - Motion waiving the reading and adopting an Urgency Ordinance Amending the City of Modesto Municipal Code Title 4, Chapter 23, “Restrictions on Use of Specified Items During Public Assembly,” Providing Various Revisions to the Time, Place And Manner Regulations As To Public Assemblies.
 - Motion introducing and waiving the first reading of an Ordinance Amending the City of Modesto Municipal Code Title 4, Chapter 23, “Restrictions on Use of Specified Items During Public Assembly,” Providing Various Revisions to the Time, Place And Manner Regulations as to Public Assemblies.

POLICE DEPARTMENT; Brandon Gillespie, 209-572-9500, gillespieb@modestopd.com

Recessed: 7:45 p.m.

Reconvened: 7:51 p.m.

ACTION: (Bavaro/Wright; 7/0) Motion waiving the reading and adopting an **Urgency Ordinance 3804-C.S.** amending the City of Modesto Municipal Code Title 4, Chapter 23, “Restrictions on Use of Specified Items During Public Assembly,” Providing Various Revisions to the Time, Place and Manner Regulations As To Public Assemblies.

ACTION: (Bavaro/Escutia-Braaton; 7/0) Motion introducing and waiving the first reading of an **Ordinance 3805-C.S.** amending the City of Modesto Municipal Code Title 4, Chapter 23, “Restrictions on Use of Specified Items During Public Assembly,”

Providing Various Revisions to the Time, Place and Manner Regulations as to Public Assemblies.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 8:17 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

All Closed Session Matters Heard Prior to the Meeting

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

One Case (Pursuant to Section 54956.9(d)(1) of the Government Code)

Name of Case: Carmen Pina & Fatima Ordaz v. City of Modesto, et al.
Superior Court of California, County of Stanislaus
Case No.: CV-21-006540

CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION

One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

Letters from the American Civil Liberties Union Foundation and the First Amendment Coalition regarding Modesto Municipal Code Section 4-23.02 related to restrictions on use of specified items during public assembly.

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, December 09, 2025 at 5:30 PM

Special City Council – Closed Session Meeting 4:30 p.m.

Roll Call- Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Regular City Council Meeting 5:30 p.m.

Roll Call- Present: Councilmembers Alvarez, Bavaro, Escutia-Braaton, Ricci,
Williams, Wright, Mayor Zwahlen
Absent: None

Pledge of Allegiance to the Flag

Invocation: Mike Gunnarson, City Ministry Network

City Clerk’s Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: No reportable action.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentations of the Certificate of Achievement for Excellence in Financial Reporting and Popular Annual Financial Reporting Award by Government Finance Officers Association (GFOA) for Fiscal Year ending June 30, 2024, and Presentation for the Distinguished Budget Presentation Award by GFOA for Fiscal Year 2025-2026 Budget. (Funding Source: Not Applicable)
FINANCE DEPARTMENT; DeAnna Christensen, 209-577-5387, dchristensen@modestogov.com

ACTION: City Manager Lopez presented the Certificate of Achievement for Excellence in Financial Reporting and Popular Annual Financial Reporting Award by Government Finance Officers Association (GFOA) for Fiscal Year ending June 30, 2024, and Presentation for the Distinguished Budget Presentation Award by GFOA for Fiscal Year 2025-2026 Budget.

PUBLIC COMMENT PERIOD

- Lynelle Solomon urged the City Council to take immediate local action on the worsening housing crisis, emphasizing that many vulnerable community members are at risk as existing supports expire and federal funding is unavailable. She stated that emergency shelters—such as a possible short-term use of Modesto’s Century Plaza—are essential first steps to prevent people from falling into homelessness while long-term housing solutions are developed.
- John Carvalho, a business owner, informed the Council that he received a notice about year-long roadwork near his shop and has been unable to find clear information online. He asked for guidance on where to get details, and the Council directed him to staff who will provide the information and help him get connected.
- Nancy Robinson, president of the Modesto Garden Club, announced the club’s annual Elegant Holiday Table Viewing event on December 10th at Del Rio Country Club and mentioned plans for the 2026 Spring Garden Tour. She updated the Council on the club’s beautification work—including maintaining the Aileen Gallo Memorial Clock, planting downtown pots, and installing a Blue Star Memorial Marker—and highlighted a member recognized as Youth Leader of the Year in California. She thanked the Council for its support and wished everyone a Merry Christmas.
- Lucas Spyksma suggested the City consider upgrading security technology, specifically recommending ZeroEyes software in schools and public facilities with added detection for sharp objects like knives.
- Ray Ruiz, father of Trevor Seever, expressed frustration that nearly five years after his son’s death he sees no meaningful progress on police reform. He said nothing has changed, the review processes are ineffective, and he feels the Council does not genuinely care about accountability.
- Darlene Ruiz, mother of Trevor Seever, listed the people she says were killed by Officer Joseph Lamantia and stated that he was never held accountable. She expressed frustration that charges against him were dropped, arbitration has still not happened, and police reform has seen no progress. She said some Councilmembers privately express support but have not stood with her publicly, urging them to take real action instead of offering sympathy.
- Harlan Diven echoed the Seever family’s concerns, saying Modesto’s Community Police Review Board is underfunded, ignored, and ineffective. She urged the Council to take its recommendations seriously, open an independent investigation into alleged wrongful arrests and injuries during June 2025 protests, and show greater accountability and attention to residents’ concerns about civil rights violations.
- Steve addressed the Council, saying the police killing of Trevor Seever reflects systemic issues and that the Council ignores calls for accountability and the Community Police Review Board’s recommendations. He noted some members have shown disrespect and

hostility, emphasized that residents are forced to rely on leaders who aren't listening, and ended by calling for a moment of silence for Seever.

- Zafir Solomon urged the Council to prevent the loss of federal housing funds, citing waste and lack of accountability in past permanent housing projects. He noted costly local projects compared to more affordable alternatives elsewhere and emphasized that it is the Council's responsibility to ensure people are not left homeless and to coordinate with county and state officials.
- Juan Telles expressed concern that Councilmembers offered no comments during the recent discussion on the mask Ordinance, despite strong public interest. He urged them to be more transparent and engaged, share their perspectives, and not remain silent on issues that affect residents' rights.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS: 2-7 (Alvarez/Wright; 7/0)

CONSENT

Consent

2. Consider approving the minutes for the December 2, 2025 Council Meeting. (Funding Source: Not Applicable)
 - Motion approving the minutes for the December 2, 2025 Council Meeting.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Alvarez/Wright; 7/0) Motion approving the minutes for the December 2, 2025 Council Meeting.

Consent

3. Consider approving Final Adoption of Ordinance 3805-C.S. amending the City of Modesto Municipal Code Title 4, Chapter 23 "Restrictions on use of specified items during public assembly", providing various revisions to the time, place and manner regulations as to public assemblies. (Funding Source: Not Applicable)
 - Motion approving Final Adoption of Ordinance 3805-C.S. amending the City of Modesto Municipal Code Title 4, Chapter 23 "Restrictions on use of specified items during public assembly", providing various revisions to the time, place and manner regulations as to public assemblies.
CITY CLERK; Diane Nayares-Perez, 209-577-5396, dnayaresperez@modestogov.com

ACTION: (Alvarez/Wright; 7/0) Motion approving Final Adoption of **Ordinance 3805-C.S.** amending the City of Modesto Municipal Code Title 4, Chapter 23 "Restrictions on use of specified items during public assembly", providing various revisions to the time, place and manner regulations as to public assemblies.

Consent

4. Consider approving the Mayor’s appointments to the City of Modesto Standing Committees, and City Council Liaison Committees; and appointing a Vice Mayor for the 2026 calendar year. (Funding Source: Not Applicable)
- Motion appointing Council Member Williams as Vice Mayor for the 2026 calendar year.
 - Motion approving the appointments to the City Council Standing Committees and City Council Liaison Committees for the 2026 calendar year.
- CITY CLERK; Diane Navares-Perez, 209-577-5398, dnavaresperez@modestogov.com*

ACTION: (Alvarez/Wright; 7/0) Motion appointing Council Member Williams as Vice Mayor for the 2026 calendar year.

ACTION: (Alvarez/Wright; 7/0) Motion approving the appointments to the City Council Standing Committees and City Council Liaison Committees for the 2026 calendar year.

Consent

5. Consider approving the Seventh Amendment to the Joint Exercise of Powers Agreement between the City of Modesto and the County of Stanislaus for Emergency Dispatch Services to extend the Agreement to December 31, 2026 and appointing Mayor Zwahlen and Councilmember Wright as Commissioners to the Consolidated Emergency Dispatch Agency and Councilmember Escutia-Braaton as an Alternate Commissioner effective January 1, 2026. (Funding Source: Not Applicable)
- Resolution approving a Seventh Amendment to the Joint Exercise of Powers Agreement between the City of Modesto and the County of Stanislaus for Emergency Dispatch Services, amending Section 5.1 extending the expiration date to December 31, 2026, and authorizing the City Manager or his designee to execute the Amendment and appointing Mayor Zwahlen and Councilmember Wright as Commissioners to the Consolidated Emergency Dispatch Agency and Councilmember Escutia-Braaton as an Alternate Commissioner effective January 1, 2026.
- CITY MANAGER; Scotty Douglass, 209-577-9149, sdouglass@modestogov.com*

ACTION: (Alvarez/Wright; 7/0) Resolution 2025-416 approving a Seventh Amendment to the Joint Exercise of Powers Agreement between the City of Modesto and the County of Stanislaus for Emergency Dispatch Services, amending Section 5.1 extending the expiration date to December 31, 2026, and authorizing the City Manager or his designee to execute the Amendment and appointing Mayor Zwahlen and Councilmember Wright as Commissioners to the Consolidated Emergency Dispatch Agency and Councilmember Escutia-Braaton as an Alternate Commissioner effective January 1, 2026.

Consent

6. Consider approving the purchase of a restroom building for the Sherwood Park Restroom Replacement Project from Public Restroom Company, of Minden, NV, for a total amount not to exceed \$294,665. (Funding Source: Measure H)

- Resolution approving the Competitive Bidding Process from Sourcewell with Public Restroom Company, of Minden, NV, for the Purchase, Delivery, and Installation of a Restroom Building for Sherwood Park, for a total amount of \$267,877, plus \$26,788, for contingency, if needed, for a total amount not to exceed \$294,665, and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Alvarez/Wright; 7/0) Resolution 2025-417 approving the Competitive Bidding Process from Sourcewell with Public Restroom Company, of Minden, NV, for the Purchase, Delivery, and Installation of a Restroom Building for Sherwood Park, for a total amount of \$267,877, plus \$26,788, for contingency, if needed, for a total amount not to exceed \$294,665, and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

Consent

7. Consider approving the Auditors' Reports and Schedule of Measure L Program Revenues and Expenditures for Fiscal Year Ended June 30, 2024. (Funding Source: Not Applicable)

- Resolution approving the Fiscal Year 2023-2024 Auditor's Report on Compliance of the Measure L: Local Roads First Transportation Funding Measure.

FINANCE DEPARTMENT; Maria Garnica, 209-577-5249, mgarnica@modestogov.com

ACTION: (Alvarez/Wright; 7/0) Resolution 2025-418 approving the Fiscal Year 2023-2024 Auditor's Report on Compliance of the Measure L: Local Roads First Transportation Funding Measure.

Removed from Consent

8. Consider approving the First Amendment with Grover Landscape Services, Inc. (Grover), Modesto, CA, for the Landscape Maintenance, Weed Abatement, Trash Removal, and Rodent Control Services, increasing the Agreement amount by \$118,511. (Funding Source: Sewer Operations Fund)

- Resolution approving the First Amendment with Grover Landscape Services, Inc., Modesto, CA, for the Landscape Maintenance, Weed Abatement, Trash Removal, and Rodent Control Services, increasing the Agreement amount by \$118,511, to a new estimated annual amount of \$240,465, a new total amount of \$1,148,858 through the term of the agreement; and authorizing the City Manager, or his designee, to execute the Amendment.

UTILITIES; Jeff Daniels, 209-577-6255, jdaniels@modestogov.com

ACTION: (Wright/Ricci; 7/0) Resolution 2025-419 approving the First Amendment with Grover Landscape Services, Inc., Modesto, CA, for the Landscape Maintenance, Weed Abatement, Trash Removal, and Rodent Control Services, increasing the Agreement amount by \$118,511, to a new estimated annual amount of \$240,465, a new

total amount of \$1,148,858 through the term of the agreement; and authorizing the City Manager, or his designee, to execute the Amendment.

COUNCIL COMMENTS & REPORTS

- Councilmember Wright highlighted Modesto’s recognition for National Night Out—#1 in California and #5 nationally—and praised the police, fire, and park teams. He reported significant drops in major violent and property crimes, auto thefts, and DUIs, commending the department for keeping the City safe.
- Councilmember Ricci praised the City and MPD for successfully using Measure H funds to reduce crime and highlighted ongoing efforts to improve the Stanislaus Animal Shelter through the Fix SASA initiative, which has already signed up over 100 volunteers. He also suggested low-cost improvements to shelter operations to save more animals and encouraged community involvement.
- Councilmember Williams thanked the Council for selecting him as Vice-Mayor for 2026, wished happy birthdays to his grandchildren, and extended holiday greetings, encouraging the community to show love and unity despite recent tragedies.
- Councilmember Escutia-Braaton thanked City employees, especially police and fire personnel, for their hard work over the past year. She reflected on the year’s challenges and successes and shared a heartfelt holiday poem wishing peace, love, and prosperity to the community.
- Mayor Zwahlen highlighted local holiday events, including gift giveaways at United Posada, the Shriners Children’s Hospital tree lighting honoring a Modesto child, and the City’s parade, noting the joy and community spirit these events brought, especially for children.

CITY MANAGER COMMENTS & REPORTS

- City Manager Lopez recognized Director of Public Works Bill Sandhu for his distinguished career with the City of Modesto. Sandhu, retiring on Christmas, served over 31 years, including as City Engineer and Public Works Director, overseeing major projects like the \$65 million Pelandale Interchange and eliminating the City’s high-voltage circuit. His contributions were praised as impactful and long-lasting.

HEARINGS

Published in the Modesto Bee on November 28, 2025 and December 5, 2025.

9. Hearing to consider approving Final Adoption of Ordinance 3802-C.S. repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code amending the City’s Fire Code to adopt the 2025 California Fire Code. (Funding Source: Not Applicable)

- Motion approving Final Adoption of Ordinance 3802-C.S. repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code amending the City's Fire Code to adopt the 2025 California Fire Code.

FIRE DEPARTMENT; David Bickle, 209-571-5553, dbickle@modestofire.com

ACTION: (Bavaro/Williams; 7/0) Motion approving Final Adoption of **Ordinance 3802-C.S.** repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code amending the City's Fire Code to adopt the 2025 California Fire Code.

Published in the Modesto Bee on November 28, 2025

10. Hearing to consider accepting the Public Health Goals (PHG) on the City of Modesto's water system, in compliance with Title 22 of the California Health and Safety Code (Funding Source: Not Applicable)
 - Resolution accepting the 2025 Public Health Goals in compliance with Title 22 of the California Health and Safety Code.

UTILITIES; Manuel Martinez, 209-342-4592, mmartinez@modestogov.com

ACTION: (Williams/Alvarez; 7/0) **Resolution 2025-420** accepting the 2025 Public Health Goals in compliance with Title 22 of the California Health and Safety Code.

NEW BUSINESS

11. Consider approving the Plans and Specifications for Dryden Clubhouse Renovation Project, accepting the Bid and Awarding a Construction Contract to Diede Construction, Inc. of Lodi, CA., for a total payment amount not to exceed \$9,278,564; consider approving an Agreement with Dillon & Murphy Engineering, of Lodi, CA, for Construction Management and Inspection Services for a total amount not to exceed \$850,164; consider approving the issuance of an interfund loan in an amount not to exceed \$4,930,841 from the Water Fund 4100 to the Golf Fund 4600 for the construction for Project 101294 Dryden Clubhouse Renovation; and consider approving the increase of the Green Fee by \$5 and implementing dynamic pricing. (Funding Source: Various Funds)
 - Resolution approving the Plans and Specifications for the Dryden Clubhouse Renovation Project, accepting the Bid and Awarding a Construction Contract to Diede Construction, Inc. of Lodi, CA., in the amount of \$8,591,263, authorizing \$687,301, in contingency (if needed), for a total payment amount not to exceed \$ 9,278,564, and authorizing the City Manager, or his designee, to execute the Agreement.
 - Resolution approving an Agreement with Dillon & Murphy Engineering, of Lodi, CA, for Construction Management and Inspection Services for the Dryden Clubhouse Renovation Project in the amount of \$772,876, plus \$77,288 in additional services, if needed, for a total amount not to exceed \$850,164, and authorizing the City Manager, or his designee, to execute the Agreement.
 - Resolution issuing an interfund loan in an amount not to exceed \$4,930,841 from the Water Fund 4100 to the Golf Fund 4600 for the construction for Project 101294 Dryden Clubhouse Renovation to include an interest rate on the

loan equal to the actual rate of return earned by the City's investment portfolio during the 12-month period immediately preceding the payment date and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

- Resolution amending the Fiscal Year 2025-26 Capital Improvement Program budget to fund Project #101294 (Dryden Clubhouse Renovation) in an amount not to exceed \$7,723,929, in transfers, revenue, and to budget expenditures to fund the project, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.
- Resolution increasing the Green Fees in accordance with Exhibit A and implementing dynamic pricing model.

ENGINEERING SERVICES; Nathan Houx, 209-571-5526, nhoux@modestogov.com

ACTION: (Alvarez/Zwahlen; 7/0) Resolution 2025-421 approving the Plans and Specifications for the Dryden Clubhouse Renovation Project, accepting the Bid and Awarding a Construction Contract to Diede Construction, Inc. of Lodi, CA., in the amount of \$8,591,263, authorizing \$687,301, in contingency (if needed), for a total payment amount not to exceed \$ 9,278,564, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Alvarez/Zwahlen; 7/0) Resolution 2025-422 approving an Agreement with Dillon & Murphy Engineering, of Lodi, CA, for Construction Management and Inspection Services for the Dryden Clubhouse Renovation Project in the amount of \$772,876, plus \$77,288 in additional services, if needed, for a total amount not to exceed \$850,164, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: (Alvarez/Zwahlen; 7/0) Resolution 2025-423 issuing an interfund loan in an amount not to exceed \$4,930,841 from the Water Fund 4100 to the Golf Fund 4600 for the construction for Project 101294 Dryden Clubhouse Renovation to include an interest rate on the loan equal to the actual rate of return earned by the City's investment portfolio during the 12-month period immediately preceding the payment date and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

ACTION: (Alvarez/Zwahlen; 7/0) Resolution 2025-424 amending the Fiscal Year 2025-26 Capital Improvement Program budget to fund Project #101294 (Dryden Clubhouse Renovation) in an amount not to exceed \$7,723,929, in transfers, revenue, and to budget expenditures to fund the project, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

ACTION: (Alvarez/Zwahlen; 7/0) Resolution 2025-425 increasing the Green Fees in accordance with Exhibit A and implementing dynamic pricing model.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 8:17 P.M.

Attest: _____
Diane Nayares-Perez, City Clerk

All Closed Session Matters Heard Prior to the Meeting

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

One Case (Pursuant to Section 54956.9(d)(1) of the Government Code)

Name of Case: Brittoni Estrella, et al. v. City of Modesto et al.
United States Eastern District
Case No.: 1:22-cv-00921

MINUTES
City of Modesto
SPECIAL APPOINTMENTS COMMITTEE
COUNCIL WORKSHOP
2001-40 Del Puerto Room.
Tenth Street Place, 1010 10th Street
Modesto, California
Wednesday, December 10, 2025 at 4:00 PM

Roll Call: Present: Chair Alvarez, Vice-Chair Rosa Escutia-Braaton, Committee Member Jeremiah Williams

Absent: None

PUBLIC COMMENT PERIOD

None

COMMENTS BY E-MAIL

None

NEW BUSINESS

1. Consider interviewing and recommending appointments for two vacancies on the City of Modesto Board of Zoning Adjustment with terms ending December 31, 2029, and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the appointment of two full-term vacancies on the City of Modesto Board of Zoning Adjustment with the term ending December 31, 2029, and forwarding to Council for approval.
CED; Jessica Hill, 209-577-5267, jhill@modestogov.com

ACTION: (Escutia-Braaton/Williams; 3/0) Motion recommending the appointments of Marshall Riddle and Odle Towe to fill two full-term vacancies on the City of Modesto Board of Zoning Adjustment with the term ending December 31, 2029, and forwarding to Council for approval.

2. Consider an appointment for one vacancy on the City of Modesto Landmark Preservation Commission with a term ending December 31, 2029, and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the appointment of one full-term vacancy on the City of Modesto Landmark Preservation Commission with the term ending December 31, 2029, and forwarding to Council for approval.
CED; Jessica Hill, 209-577-5267, jhill@modestogov.com

ACTION: (Williams/Alvarez; 3/0) Motion recommending the appointment of Mark Farrish to fill one full-term vacancy on the City of Modesto Landmark Preservation Commission with the term ending December 31, 2029, and forwarding to Council for approval.

3. Consider an appointment to fill one unexpired vacancy on the Citizens' Salary Setting Commission with a term end date of December 31, 2026, and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the appointment of one applicant to serve an unexpired term with a term end date of December 31, 2026 and forwarding to Council for approval.

CITY CLERK; Diane Navares-Perez, 209-577-5396, dnavaresperez@modestogov.com

ACTION: (Williams/Alvarez; 3/0) Motion recommending the appointment of Steven Zagaris to serve an unexpired term on the Citizens' Salary Setting Commission with a term end date of December 31, 2026 and forwarding to Council for approval.

4. Consider an appointment of one vacancy to the Measure L Citizen's Transportation Sales Tax Commission for a four-year term from July 1, 2025 to June 30, 2029 and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the appointment of one vacancy to the Measure L Citizen's Transportation Sales Tax Commission for a four-year term from July 1, 2025 to June 30, 2029 and forwarding to Council for approval.

ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Escutia-Braaton/Alvarez; 3/0) Motion recommending the appointment of Carolyn Neumann to fill one vacancy to the Measure L Citizen's Transportation Sales Tax Commission for a four-year term from July 1, 2025 to June 30, 2029 and forwarding to Council for approval.

5. Consider an appointment of one member to the StanCOG Measure L Citizens' Oversight Committee to represent the City and forwarding to Council for approval. (Funding Source: Not Applicable)
 - Motion recommending the appointment of one member to the StanCOG Measure L Citizens' Oversight Committee and forwarding to Council for approval.

ENGINEERING SERVICES; Toby Wells, 209-571-5542, twells@modestogov.com

ACTION: (Escutia-Braaton/Williams; 3/0) Motion recommending the appointment of Craig Lewis to the StanCOG Measure L Citizens' Oversight Committee and forwarding to Council for approval.

6. Consider an appointment of three applicants to the Modesto Culture Commission to fill three vacancies for four-year terms from January 1, 2026, to December 31, 2029, and forwarding to Council for approval. (Funding Source: Not Applicable)

- Motion recommending the appointment of three applicants to the Modesto Culture Commission to fill three vacancies for four-year terms from January 1, 2026, to December 31, 2029, and forwarding to Council for approval.

PRN; Jeremy Rogers, 209-577-5347, jrogers@modestogov.com

ACTION: (Escutia-Braaton/Williams; 3/0) Motion recommending the appointments of Shannon Stevens, Dominique Johnson, and Sandra Hilton Kaepf to the Modesto Culture Commission to fill three vacancies for four-year terms from January 1, 2026, to December 31, 2029, and forwarding to Council for approval.

7. Consider an appointment to fill one Youth Member-At-Large vacancy for a one-year term with a term expiration of December 31, 2026, one appointment to fill one Member-At-Large vacancy for a four-year term with a term expiration of December 31, 2029, and one reappointment to fill one Dryden Women’s Golf Club vacancy for a four-year term with a term expiration of December 31, 2029, on the City of Modesto Golf Courses Advisory Committee, and forwarding to Council for approval. (Funding Source: Not Applicable)

- Motion recommending one appointment to fill one Youth Member-At-Large vacancy for a one-year term with a term expiration of December 31, 2026, one appointment to fill one Member-At-Large vacancy for a four-year term with a term expiration of December 31, 2029, and one reappointment to fill one Dryden Women’s Golf Club vacancy for a four-year term with a term expiration of December 31, 2029, on the City of Modesto Golf Courses Advisory Committee, and forwarding to Council for approval.

PRN; Jessica Franco, 209-577-5278, jefranco@modestogov.com

ACTION: (Escutia-Braaton/Alvarez; 3/0) Motion recommending Priscilla Castillo-Amador to fill one Youth Member-At-Large vacancy for a one-year term with a term expiration of December 31, 2026, Ricardo Navarro to fill one Member-At-Large vacancy for a four-year term with a term expiration of December 31, 2029, and the reappointment of Karen Burch to fill one Dryden Women’s Golf Club vacancy for a four-year term with a term expiration of December 31, 2029, on the City of Modesto Golf Courses Advisory Committee, and forwarding to Council for approval.

8. Consider an appointment of one vacancy to the City of Modesto Blight Abatement Advisory Committee for a four-year term with an expiration date of December 31, 2029, and forwarding to Council for approval. (Funding Source: Not Applicable)

- Motion recommending the appointment of one vacancy to the Committee for a four-year term with an expiration date of December 31, 2029, and forwarding to Council for approval.

PUBLIC WORKS; John Chavez, 209-577-5453, jchavez@modestogov.com

ACTION: (Williams/Escutia-Braaton; 3/0) Motion recommending the appointment of Michelle Patino to the City of Modesto Blight Abatement Advisory Committee for a four-year term with an expiration date of December 31, 2029, and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 5:06 p.m.

Attest: _____
Diane Nayares-Perez, City Clerk