RESOLUTION APPROVING THE 2016 CITY COUNCIL MEETING AND COUNCIL STANDING COMMITTEE MEETING CALENDARS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the 2016 City Council Meeting Calendar, attached hereto as Exhibit “A,” and the 2016 Council Standing Committee Meeting Calendar Exhibit “B,” are hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

STEPHANIE LOPEZ, City Clerk

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney
City Council Calendar 2016

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*January 5<sup>th</sup> due to Winter Break
**August 3<sup>rd</sup> Wednesday Meeting due to National Night Out on August 2<sup>nd</sup>

CC Mtg Calendar for 2016 – 10/27/15
# City of Modesto Council and Standing Committees Calendar

## 2016

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- Council
- Healthy Economy Committee
- Appointments & Audit Committees - As needed
- Great Safe Neighborhoods Committee
- Effective Government Committee

*Meeting dates are subject to change at the request of Council

Calendar maintained by the City Clerk's Office 10/28/2015
RESOLUTION REAFFIRMING THE COMMITMENT OF THE CITY OF MODESTO TO SUPPORT THE CONTINUED OPERATION AND MAINTENANCE OF THE TUOLUMNE RIVER REGIONAL PARK, INCLUDING THE GATEWAY PARCEL FOR A PERIOD OF AT LEAST 25 YEARS

WHEREAS, in 2012 the City of Modesto was awarded a $2,200,000 grant from the State of California Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), and

WHEREAS, a special provision of the grant is to provide evidence satisfactory to the State that the project will be operated and maintained as public open space for a minimum of 25 years, and

WHEREAS, the Tuolumne River Regional Park (TRRP) is operated under a Joint Powers Agreement (JPA) comprised of the County of Stanislaus, the City of Modesto and the City of Ceres, and

WHEREAS, the intent of the JPA is to operate and maintain TRRP, including the area of the Gateway Parcel, as a public access facility for use by citizens of Stanislaus County and the general public, and

WHEREAS, in the unlikely event that the JPA desires to dissolve, the area known as the Gateway Parcel will revert back to the City of Modesto to be cared for in a manner consistent with the rest of TRRP, and

WHEREAS, in order to receive the funding from the State of California Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), the City of Modesto must reaffirm its commitment to
continue to maintain TRRP, and the Gateway Parcel, as public open space for a period of no less than 25 years from the date of the grant agreement or issuance of funds, whichever provides for the later date.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby reaffirms the commitment of the City of Modesto to support the continued operation and maintenance of TRRP, including the Gateway Parcel, should the TRRP JPA dissolve, as a public access facility for use by the citizens of Stanislaus County and the general public for a period of time ending no later than 25 years from the date of the grant agreement or issuance of grant funds, whichever provides for the later date and authorizes the City Manager, or his designee, to execute all documents relating to this grant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]

STEPHANIE LOPEZ, City Clerk

(SEAL)
APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2015-414

RESOLUTION AUTHORIZING THE AWARD OF A SOLE SOURCE PURCHASE OF ONE 2016 ROADSAVER RS3G SLURRY/MICROSURFACING TRUCK TO RAYNER EQUIPMENT SYSTEMS, SACRAMENTO, CA FOR AN ESTIMATED TOTAL COST OF $430,226, AND AUTHORIZING THE PURCHASING MANAGER OR HIS DESIGNEE TO ISSUE THE PURCHASING ORDER

WHEREAS, this vehicle is for a new program for slurry coating streets to extend and maintain their life. On June 2, 2015, Council approved Resolution No. 2015-182, Enhancement Title, for the purchase of one slurry truck. The purchase of the slurry truck is the first major step to start this new program, and

WHEREAS, the RoadSaver RS3G slurry/microsurfacing truck provided by Rayner Equipment Systems, is the only single engine unit available. This single engine unit is important to the City because of current San Joaquin Valley Air Pollution Control District Regulation Assembly Bill AB32. The City needs to plan purchases to comply with Assembly Bill AB32 reduction of greenhouse gases, and

WHEREAS, the City Manager authorized the Purchasing Manager to issue formal Request for Bids (RFB) for new vehicles and heavy equipment, through various competitive processes, with the Purchasing Division coming back to Council for award authorization, and

WHEREAS, there are no local vendors able to provide this type of equipment, and

WHEREAS, sufficient funds are budgeted in Fiscal Year 2015-16, in appropriation unit 1700-53130-57003 (Surface Transportation Fund), and

WHEREAS, Modesto Municipal Code (MMC) Section 8-3.203 generally requires all purchases, which meet or exceed $50,000.00 for material, equipment or contractual
services to be formally bid. However, there are exceptions to the rule set forth in the Modesto Municipal Code. One exception, MMC Section 8-3.204(d), is available where the Purchasing Manager, in his discretion, determines that a process other than the usual formal bid procedure set forth in MMC Section 8-3.203 will result in procurement for the City at the lowest possible cost commensurate with the desired quality. Acting within his discretion, the Purchasing Manager invoked that exception for this purchase due to the cost savings of staff time and the limited number of competitors. The purchase of one 2016 RoadSaver RS3G slurry/microsurfacing truck to Rayner Equipment Systems, Sacramento, CA, will conform to MMC Section 8-3.204(d).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the award of a sole source purchase of one 2016 RoadSaver RS3G slurry/microsurfacing truck to Rayner Equipment Systems, Sacramento, CA, for an estimated total cost of $430,226;

BE IT FURTHER RESOLVED that the Purchasing Manager or his designee is authorized to issue the purchase order.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None
ATTEST:  
STEFANIA LOPEZ, City Clerk  

(SEAL)  

APPROVED AS TO FORM:  

By:  
ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING HELEN WHITE TRAIL NEIGHBORHOOD ENVIRONMENTAL ACTION TEAM (N.E.A.T) AGREEMENT

WHEREAS, the City of Modesto has made it a priority to develop Great, Safe Neighborhoods, and

WHEREAS, the West Modesto King Kennedy Collaborative wishes to provide cleanup services along the Helen White Memorial Trail, and

WHEREAS, the City of Modesto has made opportunities available for Corporations, Service Clubs, Non Profits, and Citizens to contribute to and adopt parks in Modesto through its Neighborhood Environmental Action Team (N.E.A.T) Program,

WHEREAS, the Helen White Trail has been determined by the City Council as an appropriate site for a N.E.A.T Agreement, and

WHEREAS, the West Modesto King Kennedy Collaborative wishes to contribute to and adopt the Helen White Trail through the N.E.A.T. Program under the supervision of the City.

THEREFORE, LET IT BE RESOLVED, by the Council of the City of Modesto that it hereby approves the Helen White Trail Neighborhood Environmental Action Team (N.E.A.T.) Agreement.

The foregoing resolution was introduced at a regular meeting of the council of the City of Modesto on the 4th day of November, 2015 by Councilmember Madrigal, who moved its adoption, which motion being duly seconded by Councilmember Lopez, was upon roll call carried and the resolution adopted by the following vote:
AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]

SEAL

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION AUTHORIZING THE FINANCE DIRECTOR, OR HER DESIGNEE, TO AMEND THE FISCAL YEAR 2015/2016 CAPITAL IMPROVEMENT BUDGET TO CREATE A NEW CAPITAL PROJECT FOR THE P-25 RADIO TOWER CONSTRUCTION AT MODESTO FIRE STATION 6, AND IMPLEMENT THE PROVISIONS OF THIS RESOLUTION

WHEREAS, the City of Modesto and the Modesto Police Department are committed to the development of a radio communications network that provides the best level of service in support of our citizens and community, and

WHEREAS, the City of Modesto currently has two radio towers and an additional tower is needed to cover the gap of coverage in northwest Modesto, and

WHEREAS, this tower will link our most populated cities along the Highway 99 corridor and primarily enhance law enforcement response, and

WHEREAS, the overall regional communications between public safety agencies in the City of Modesto and Stanislaus County are dangerously inadequate and with the FCC mandated narrow banding requirements radio coverage is significantly reduced, and

WHEREAS, major components of the current system are over 25 years old and do not adequately meet the needs of the public safety agencies in the county, and

WHEREAS, interoperable coverage throughout the county continues to be sporadic and aging equipment needs to be replaced to improve day-to-day operability, and

WHEREAS, public safety agencies are hindered in their response to dangerous incidents by the lack of a dependable county-wide interoperable radio communications system, and
WHEREAS, this funding will allow the final construction of the P-25 Radio Tower at Modesto Fire Station 6 to complete the P-25 Interoperability project, which is a necessary component to allow the Police Department to move forward with transitioning to the 800 megahertz radios.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Fiscal Year 2015/2016 Capital Improvement Budget to create a new Capital Project for the P-25 Radio Tower Construction at Modesto Fire Station 6.

BE IT FURTHER RESOLVED that the Director of Finance, or her designee, is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)
APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION AUTHORIZING THE FINANCE DIRECTOR, OR HER DESIGNEE, TO AMEND THE FISCAL YEAR 2015/2016 OPERATING BUDGET TO REDUCE THE POLICE DEPARTMENT BUDGET IN THE GENERAL FUND IN THE AMOUNT OF $300,000 AND TO ESTABLISH A TRANSFER FROM THE GENERAL FUND (0100-70100-73120) TO THE SPECIAL FUND FOR CAPITAL OUTLAY (FUND 3120) IN THE AMOUNT OF $300,000 TO FUND THE P-25 RADIO TOWER CONSTRUCTION AT MODESTO FIRE STATION 6, AND IMPLEMENT THE PROVISIONS OF THIS RESOLUTION

WHEREAS, the City of Modesto and the Modesto Police Department are committed to the development of a radio communications network that provides the best level of service in support of our citizens and community, and

WHEREAS, the City of Modesto currently has two radio towers and an additional tower is needed to cover the gap of coverage in northwest Modesto, and

WHEREAS, this tower will link our most populated cities along the Highway 99 corridor and primarily enhance law enforcement response, and

WHEREAS, the overall regional communications between public safety agencies in the City of Modesto and Stanislaus County are dangerously inadequate and with the FCC mandated narrow banding requirements radio coverage is significantly reduced, and

WHEREAS, major components of the current system are over 25 years old and do not adequately meet the needs of the public safety agencies in the county, and

WHEREAS, interoperable coverage throughout the county continues to be sporadic and aging equipment needs to be replaced to improve day-to-day operability, and
WHEREAS, public safety agencies are hindered in their response to dangerous incidents by the lack of a dependable county-wide interoperable radio communications system, and

WHEREAS, this funding will allow the final construction of the P-25 Radio Tower at Modesto Fire Station 6 to complete the P-25 Interoperability project, which is a necessary component to allow the Police Department to move forward with transitioning to the 800 megahertz radios.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Fiscal Year 2015/2016 Operating Budget to reduce the Police Department Budget in the General Fund in the amount of $300,000 and to establish a transfer from the General Fund (0100-70100-73120) to the Special Fund for Capital Outlay (Fund 3120) in the amount of $300,000 to fund the P-25 Radio Tower Construction at Modesto Fire Station 6, and implement the provisions of this resolution.

BE IT FURTHER RESOLVED that the Director of Finance, or her designee, is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:
AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION AUTHORIZING THE PURCHASING MANAGER, OR HIS DESIGNEE, TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $300,000 TO TAIT NORTH AMERICA, INC. FOR CONSTRUCTION RELATED EXPENSES WITH THE CONSTRUCTION AND INSTALLATION OF THE P-25 RADIO TOWER AT MODESTO FIRE STATION 6

WHEREAS, the City of Modesto and the Modesto Police Department are committed to the development of a radio communications network that provides the best level of service in support of our citizens and community, and

WHEREAS, the City of Modesto currently has two radio towers and an additional tower is needed to cover the gap of coverage in northwest Modesto, and

WHEREAS, this tower will link our most populated cities along the Highway 99 corridor and primarily enhance law enforcement response, and

WHEREAS, the overall regional communications between public safety agencies in the City of Modesto and Stanislaus County are dangerously inadequate and with the FCC mandated narrow banding requirements radio coverage is significantly reduced, and

WHEREAS, major components of the current system are over 25 years old and do not adequately meet the needs of the public safety agencies in the county, and

WHEREAS, interoperable coverage throughout the county continues to be sporadic and aging equipment needs to be replaced to improve day-to-day operability, and

WHEREAS, public safety agencies are hindered in their response to dangerous incidents by the lack of a dependable county-wide interoperable radio communications system, and
WHEREAS, this funding will allow the final construction of the P-25 Radio Tower at Modesto Fire Station 6 to complete the P-25 Interoperability project, which is a necessary component to allow the Police Department to move forward with transitioning to the 800 megahertz radios, and

WHEREAS, the last quote from Tait was in April 2015 for $263,790 for $263,790.85 and we are anticipating at least a 5% increase in costs, and

WHEREAS, the Project Contract is held by Stanislaus County, and

WHEREAS, the Tait contract will be amended through the Stanislaus County General Services Agent (Contract #29044) in a Board Action set for November 3, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the Purchasing Manager, or his designee, to issue a purchase order in an amount not to exceed $300,000 to Tait North America, Inc. for construction related expenses with the construction and installation of the P-25 Radio Tower at Modesto Fire Station 6.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None
ATTEST:  
STEPHANIE LOPEZ, City Clerk  

(SEAL)  

APPROVED AS TO FORM:  
By:  
ADAM U. LINDGREN, City Attorney
RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN AND FILE A FINANCIAL ASSISTANCE APPLICATION AND ALL NECESSARY DOCUMENTS RELATED TO A FINANCING AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD FOR THE NORTH VALLEY REGIONAL RECYCLED WATER PROGRAM

WHEREAS, the City of Modesto has the authority to construct, operate, and maintain the City of Modesto Wastewater Collection and Treatment System, and

WHEREAS, the City of Modesto desires to address water quality problems and to prevent pollution of the waters of the State, and

WHEREAS, City is applying for a Clean Water Resolving Fund (CWSRF) loan as the lead agency on behalf of the North Valley Regional Recycled Water Program to finance the construction of the facilities required to deliver recycled water to the Delta Mendota Canal, and

WHEREAS, loan application requires the adoption of an authorizing resolution designating the City Manager, or his designee, to sign and file a financial assistance application and all necessary documents related to a financing agreement with the State.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes and directs the City Manager, or his designee, to sign and file, for and on behalf of the City of Modesto, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the North Valley Regional Recycled Water Program.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it agrees and authorizes the City Manager, or his designee, to provide the assurances, certifications, and commitments required for the financial assistance application on
behalf of the City, including certifying that the City of Modesto has and will comply with all applicable state and federal statutory and regulatory requirements related to any financing or financial assistance received from the State Water Resources Control Board.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to negotiate and execute a financial assistance agreement from the State Water Resources Control Board and any amendments or change orders thereto, and certify financing agreement disbursements on behalf of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]

STEVANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION HEREBY DEDICATING SEWER SERVICE CHARGES TO PAYMENT OF ANY AND ALL CLEAN WATER STATE REVOLVING FUND FINANCING FOR THE NORTH VALLEY REGIONAL RECYCLED WATER PROGRAM

WHEREAS, the City of Modesto has the authority to construct, operate, and maintain the City of Modesto Wastewater Collection and Treatment System, and

WHEREAS, the City of Modesto desires to address water quality problems and to prevent pollution of the waters of the State, and

WHEREAS, the City is applying for a Clean Water State Revolving Fund (CWSRF) loan as the lead agency on behalf of North Valley Regional Recycled Water Program (NVRRWP) to finance the construction of the facilities required to deliver recycled water to the Delta-Mendota Canal, and

WHEREAS, the CWSRF requires agencies applying for a loan to adopt a resolution pledging revenue and funds throughout the term of the financing and until the agency has satisfied its repayment obligation, and

WHEREAS, the City is pledging revenue from sewer service charges as part of its CWSRF loan application. The Del Puerto Water District will reimburse the City’s Wastewater Fund for all sewer service charges required for the CWSRF debt service payments.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby dedicates and pledges sewer service charges to be used for payment of any and all Clean Water State Revolving Fund Financing.
The City commits to collecting such revenues and maintaining such funds throughout the term of such financing until the City has satisfied its repayment obligation thereunder unless modification or change of such dedication is approved in writing by the State Water Resources Control Board. So long as the financing agreement is outstanding, the City’s pledge hereunder shall constitute a lien in favor of the State Water Resources Control Board on the foregoing funds and revenues without any further action necessary. So long as the financing agreements are outstanding, the City commits to maintaining the funds and revenues at levels sufficient to meet its obligations under the financing agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

STEFANIE LOPEZ, City Clerk

(SEAL)
APPROVED AS TO FORM:

By ADAM U. LINDGREN, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2015-421

RESOLUTION HEREBY STATING A FINANCE AMOUNT TO BE PROVIDED BY THE STATE WATER RESOURCES CONTROL BOARD AND STATING THE CITY OF MODESTO INTENDS TO REIMBURSE THE STATE OF CALIFORNIA FOR BORROWED FUNDS

WHEREAS, the City of Modesto ("City") has the authority to construct, operate, and maintain the City of Modesto Wastewater Collection and Treatment System, and

WHEREAS, the City desires to address water quality problems and to prevent pollution of the waters of the State, and

WHEREAS, the City desires to finance the costs of constructing and/or reconstructing certain public facilities and improvements relating to its wastewater system, including certain treatment facilities, pipelines and other infrastructure (the "Project"), and

WHEREAS, the City intends to finance the construction and/or reconstruction of the Project or portions of the Project with moneys ("Project Funds") provided by the State of California, acting by and through the State Water Resources Control Board (State Water Board), and

WHEREAS, the State Water Board may fund the Project Funds with proceeds from the sale of obligations the interest upon which is excluded from gross income for federal income tax purposes (the "Obligations"), and

WHEREAS, prior to either the issuance of the Obligations or the approval by the State Water Board of the Project Funds the City desires to incur certain capital expenditures (the "Expenditures") with respect to the Project from available moneys of the City, and
WHEREAS, the City has determined that those moneys to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the City for the Expenditures from the proceeds of the Obligations,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City hereby states its intention and reasonably expects to Reimburse Expenditures paid prior to the issuance of the Obligations or the approval by the State Water Board of the Project Funds.

SECTION 2. The reasonably expected maximum principal amount of the Project Funds is $100,000,000.

SECTION 3. This resolution is being adopted no later than 60 days after the date on which the City will expend moneys for the portion of the Project costs to be reimbursed with Project Funds.

SECTION 4. Each City Expenditure will be of a type properly chargeable to a capital account under general federal income tax principles.

SECTION 5. To the best of our knowledge, the City is not aware of the previous adoption of official intents by the City that have been made as a matter of course for the purpose of reimbursing expenditures and for which tax-exempt obligations have not been issued.

SECTION 6. This resolution is adopted as official intent of the City in order to comply with Treasury Regulation §1.150-2 and any other regulations of the Internal Revenue Service relating to the qualification for reimbursement of Project costs.
SECTION 7. All the recitals in this Resolution are true and correct and this City so finds, determines and represents.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]

STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING AN AGREEMENT WITH CAROLLO ENGINEERS, INC. FOR DESIGN-BUILD OWNER ADVISOR SERVICES FOR THE NORTH VALLEY REGIONAL RECYCLED WATER PROGRAM, IN AN AMOUNT NOT TO EXCEED $2,791,168 FOR THE IDENTIFIED SCOPE OF SERVICES, PLUS $139,558 FOR ADDITIONAL SERVICES (IF NEEDED), FOR A MAXIMUM TOTAL AMOUNT OF $2,930,726, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, the North Valley Regional Recycled Water Program (NVRRWP) is the planned construction of a regional water supply project that will deliver recycled water produced by the cities of Modesto and Turlock to the Delta-Mendota Canal (DMC), a feature of the Central Valley Project owned by U.S. Bureau of Reclamation, and

WHEREAS, recycled water will be conveyed from Modesto and Turlock through pipelines from their wastewater treatment facilities, crossing under the San Joaquin River, ending at the DMC, and

WHEREAS, water in the DMC would then be conveyed directly to Del Puerto Water District (DPWD) turnouts and thus to its customers, and

WHEREAS, in order to achieve an anticipated project completion by the end of 2017, the City will need to expedite the project delivery (design and construction), and

WHEREAS, staff is recommending pursuing a Design-Build (D-B) approach, which expedites the design and construction process by compiling the design and construction services under a single entity, and

WHEREAS, this methodology should minimize risks and reduce the project delivery schedule, and
WHEREAS, City staff does not have the expertise nor staff level to initiate the D-
B process, and

WHEREAS, other municipalities have employed an "Owner Advisor" (OA),
typically an engineering consulting firm that has D-B experience, to facilitate the
procurement of a D-B team, and

WHEREAS, staff is recommending this approach to the Project, and

WHEREAS, on July 7, 2015, by Resolution No. 2015-240, the City Council
authorized City staff to initiate the Design-Build process for the Project, and

WHEREAS, considering the technical complexity, required state and federal
permitting, and accelerated schedule of this project, in addition to current staff workload
and lack of expertise, City staff is recommending the use of an engineering consultant to
provide OA services to the City throughout the Design-Build process, and

WHEREAS, in accordance with Administrative Directive 3.1, Selection
Procedures for Professional Consultants Who Provide Architectural & Engineering
Services for Capital Projects, Request for Proposals was issued on July 31, 2015 to eight
(8) of the City’s Pre-Qualified Water and Wastewater Design consulting firms, and one
firm already working on the Project, and

WHEREAS, responses were received from two teams, and

WHEREAS, a selection committee consisting of Modesto’s Utilities Department
staff and a representative from the City of Turlock evaluated the responses and met on
September 24 and 25, 2015 to interview the firms and to discuss the evaluations and
review ranking, and
WHEREAS, the committee recommended the team of Carollo Engineers, Inc. (Carollo), in association with RMC Water and Environment, to be the most qualified firm to provide D-B OA services to the City for the Project, and

WHEREAS, Carollo’s final negotiated cost is $2,791,168, and

WHEREAS, Carollo’s involvement of local sub-consultants accounts for 8% of the total contract amount, and

WHEREAS, the scope of services to be provided under this agreement includes:

1) Project Management and Administration; 2) Develop D-B Procurement strategy, criteria, documentation, and schedule; 3) Develop D-B Qualification and Proposal Documents and review criteria; 4) Predesign geotechnical evaluations and survey; 5) Prepare conceptual and selective preliminary design; and 6) Assist staff to evaluate proposals and negotiate final D-B contract, and

WHEREAS, on October 7, 2014, the City, as lead agency on behalf of the NVRRWP, submitted a Financial Assistance Application for a Clean Water State Revolving Fund (CWSRF) loan to fund the project, and

WHEREAS, all D-B OA (including actual D-B) costs will be reimbursable with the CWSRF loan, and

WHEREAS, debt service for the NVRRWP CWSRF loan will be reimbursed to the City through a water sales agreement between the City and DPWD,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an Agreement with Carollo Engineers, Inc. for Design-Build Owner Advisor Services for the North Valley Regional Recycled Water Program in an amount not to exceed $2,791,168 for the identified scope of services, plus $139,558 for
additional services (if needed), for a maximum total amount of $2,930,726, and
authorizing the City Manager, or his designee, to execute the agreement.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby
authorized to execute the Agreement.

The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 4th day of November 2015, by Councilmember Lopez,
who moved its adoption, which motion being duly seconded by Councilmember
Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal,
Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]
ADAM U. LINDGREN, City Attorney
RESOLUTION AMENDING THE FISCAL YEAR 2015-2016 CAPITAL IMPROVEMENT PROGRAM BUDGET IN THE AMOUNT OF $100,000 TO BE TRANSFERRED INTO THE PROJECT FROM WASTEWATER FUND RESERVES IN ORDER TO FULLY FUND THE AGREEMENT WITH CAROLLO ENGINEERS, INC., WALNUT CREEK, CA, FOR DESIGN-BUILD OWNER ADVISOR SERVICES FOR THE NORTH VALLEY REGIONAL RECYCLED WATER PROGRAM, INCLUDING SUPPORT BY CITY STAFF

WHEREAS, certain budgetary transactions are necessary in the amount of $100,000, in order to fund the Design-Build Owner Advisor Services agreement, including support by City staff for the North Valley Regional Recycled Water Program, and

WHEREAS, the Fiscal Year 2015-2016 Capital Improvement Program Budget must be amended as shown in Exhibit A, which is incorporated by reference herein,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the amendment of the Fiscal Year 2015-2016 Capital Improvement Program Budget as shown in Exhibit A.

BE IT FURTHER RESOLVED that the Director of Finance, or her designee, is hereby authorized to implement the provisions of this resolution.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

(SEAL)

(Approved as to form)

By: 

ADAM U. LINDGREN, City Attorney
Exhibit A

Due to the increase of estimated engineering/design/administration costs for the agreement, including support by City staff for CIP Account #100521-“North Valley Regional Recycled Water Program”, the project costs need to be increased by $100,000. This would be done by adjusting Engineering/Design/Administration (EDA) in CIP Account #100521-“North Valley Regional Recycled Water Program” by $100,000.

To fund the above account, $100,000 will be transferred from Wastewater Fund Reserves into CIP Project #100521-“North Valley Regional Recycled Water Program” project.
RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT WITH LITT ROAD HOLDINGS, LLC, FOR A 47.37-ACRE PARCEL OF LAND LOCATED AT LITT ROAD, NORTH OF SYLVAN AVENUE (APN 084-003-005), IN THE AMOUNT OF $2,130,000, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT AND ALL RELATED DOCUMENTS REQUIRED TO CLOSE ESCROW

WHEREAS, the City of Modesto has been in search of a site to locate a parcel of land for use by the Utilities Department for a Water Services Corporation Yard, and

WHEREAS, staff has identified a 47.37-acre parcel located at Litt Road and north of Sylvan Avenue, and

WHEREAS, currently Water Services is located in three separate locations around Modesto, and

WHEREAS, the 47.37-acre site will allow Water Services to consolidate all of its operations into a single location, and

WHEREAS, a consolidation will result in operational and fiscal efficiency, and

WHEREAS, staff has completed the required environmental review for the property, and

WHEREAS, an Agreement is needed for the acquisition of the property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Purchase Agreement with Litt Road Holdings, LLC, for a 47.37-acre parcel of land located at Litt Road north of Sylvan Avenue (APN 084-003-005), in the amount of $2,130,000 for the Utilities Department Water Services Corporation Yard Project.
BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the Agreement, and all related documents required to close escrow.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

(STEPHANIE LOPEZ, City Clerk)

(SEAL)

APPROVED AS TO FORM:

By: 

ADAM U. LINDGREN, City Attorney
RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN THE LEASE TERMINATION AGREEMENT WITH LITT ROAD HOLDINGS, LLC AND R DOORNENBAL RANCHES, TERMINATING AN EXISTING TENANT LEASE AND ASSIGNING IT TO THE CITY, IN EXCHANGE FOR A ONE MONTH INDEMNIFICATION BY THE TENANT IN FAVOR OF THE CITY (APN 084-003-005)

WHEREAS, the City of Modesto has agreed to purchase a parcel of land for the Utilities Department for a Water Services Corporation Yard, and

WHEREAS, the parcel is a 47.37-acre parcel of land located at Litt Road north of Sylvan Avenue, and

WHEREAS, currently a tenant lease exists for cattle grazing, and

WHEREAS, the tenant lease expires on December 31, 2015, and

WHEREAS, an agreement is required to terminate the lease and transfer it to the City as part of the purchase process, and

WHEREAS, City will refund the tenant’s rent for the month of November 2015 in exchange for an indemnity, and

WHEREAS, the current Lessor will refund Lessee’s rent for December 2015 in exchange for terminating the lease and transferring it to the City, and

WHEREAS, an Agreement is needed for the Lease Termination.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Lease Termination Agreement with Litt Road Holdings, LLC and R Doornenbal Ranches, located at Litt Road north of Sylvan Avenue (APN 084-003-005), for the Utilities Department Water Services Corporation Yard Project.
BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the Agreement, and all related documents required to close escrow.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN THE CERTIFICATE OF ACCEPTANCE FOR THE GRANT DEED FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT LITT ROAD NORTH OF SYLVAN AVENUE, OWNED BY LITT ROAD HOLDINGS, LLC, (APN 084-003-005) TO BE PURCHASED BY THE CITY OF MODESTO FOR THE UTILITIES DEPARTMENT WATER SERVICES CORPORATION YARD

WHEREAS, Section 27281 of the Government Code requires a public agency to accept real property prior to the recordation of a deed or adopt a resolution accepting real property, and

WHEREAS, the City of Modesto desires to accept a parcel of land totaling 47.37 acres, located at Litt Road north of Sylvan Avenue, owned by Litt Road Holdings, LLC, (APN 084-003-005), to be conveyed to the City of Modesto,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager, or his designee, is hereby authorized to sign the Certificate of Acceptance for the Grant Deed for the acquisition of real property located at Litt Road north of Sylvan Avenue, owned by Litt Road Holdings, LLC, (APN 084-003-005) to be purchased by the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh
NOES: Councilmembers: None
ABSENT: Councilmembers: None

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)
MODESTO CITY COUNCIL
RESOLUTION NO. 2015-427

RESOLUTION FINDING THAT THE FOLLOWING SUBSEQUENT PROJECT IS WITHIN THE SCOPE OF THE PROJECT COVERED BY THE MODESTO URBAN AREA GENERAL PLAN MASTER ENVIRONMENTAL IMPACT REPORT (SCH NO. 2007072023): PROPOSED ACQUISITION OF 47.37 ACRES AND THE DEVELOPMENT OF A WATER CORPORATION YARD LOCATED ON THE EAST SIDE OF LITT ROAD APPROXIMATELY 0.5 MILE NORTH OF SYLVAN AVENUE, APN 084-003-005 (City of Modesto)

WHEREAS, on October 14, 2008, the City Council of the City of Modesto certified the Final Master Environmental Impact Report (“Master EIR”) (SCH No. 2007072023) for the Modesto Urban Area General Plan, and

WHEREAS, City of Modesto has proposed the acquisition of 47.37 acres and the development of a water corporation yard located on the east side of Litt Road approximately 0.5 mile north of Sylvan Avenue (APN 084-003-005), and

WHEREAS, pursuant to Section 21157.1 of the Public Resources Code, the City of Modesto’s Utilities Department prepared an Environmental Assessment Initial Study EA/UTL 2015-09 (“Initial Study”) which analyzed whether the subsequent project may cause any significant effect on the environment that was not examined in the Master EIR and whether the subsequent project was described in the Master EIR as being within the scope of the report, and

WHEREAS, in accordance with CEQA guidelines beginning on October 12, 2015, the City caused to be published a 20-day notice of the City’s intent to make a finding that the subsequent project conforms with the Master EIR, and

WHEREAS, said matter was considered by the City Council on November 4, 2015, at 5:30 p.m., in the Tenth Street Place Chambers located at 1010 Tenth Street, Modesto, California,
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council has reviewed and considered the Initial Study prepared for the proposed water corporation yard land acquisition and development, a copy of which is attached hereto as Exhibit "A", and incorporated herein by reference, and based on substantial evidence in the Initial Study makes the following findings:

1. An Initial Study was prepared by the City of Modesto that analyzed whether the subsequent project may cause any significant effect on the environment that was not examined in the Master EIR and whether the subsequent project was described in the Master EIR as being within the scope of the report.

2. The subsequent project will have no additional significant effect on the environment, as defined in subdivision (d) of Section 21158 of the Public Resources Code, that was not identified in the Master EIR.

3. No new or additional mitigation measures or alternatives are required.

4. The subsequent project is within the scope of the project covered by the Master EIR.

5. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the subsequent project or otherwise made conditions of approval of the subsequent project.

6. No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, and no new information, which was not known and could not have been known at the time that the Master EIR was certified as complete, has become available.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the Utilities Director is hereby authorized and directed to file a notice of approval or determination within five (5) business days with the Stanislaus County Clerk pursuant to Section 21152 of the Public Resources Code.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST:

SEAL

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
EXHIBIT A
Initial Study
EA/UTL 2015-09

Exhibit “A”
City of Modesto

Finding of Conformance to
General Plan Master EIR:

Initial Study Environmental Checklist
EA UTL No. 2015-09

For the proposed:
Water Corporation Yard

Prepared by:
City of Modesto
Community & Economic Development Department
Planning Division

October 9, 2015
City of Modesto
Master EIR Initial Study Environmental Checklist

I. PURPOSE

CEQA allows for the limited environmental review of subsequent projects under the City's Master Environmental Impact Report ("Master EIR" or "MEIR"). This Initial Study Environmental Checklist ("Initial Study") is used in determining whether City of Modesto Water Corporation Yard is "within the scope" of the project analyzed in the Modesto Urban Area General Plan Master EIR (SCH# 2007072023) (Public Resources Code section 21157.1). When the Initial Study supports this conclusion, the City will issue a finding of conformance.

A subsequent project is "within the scope" of the Master EIR when:

1. it will have no additional significant effects on the environment that were not addressed as significant effects in the Master EIR; and

2. no new or additional mitigation measures or alternatives are required.

"Additional significant effects" means a project-specific effect that was not addressed as a significant effect in the Master EIR. [Public Resources Code Section 21158(d)]

The determination must be based on substantial evidence in the record. "Substantial evidence" means facts, reasonable assumptions predicated upon facts, or expert opinion based on facts. It does not include speculation or unsubstantiated opinion. (CEQA Guidelines Section 15384)

II. PROJECT DESCRIPTION

A. Title: Water Corporation Yard

B. Address or Location: East side of Litt Road, approximately 0.5 mile north of Sylvan Avenue

C. Applicant: City of Modesto

D. City Contact Person: Tamorah Bryant
   Department: Utilities Department
   Phone Number: 577 5205
   E-mail address: tbryant@modestogov.com

E. Current General Plan Designation(s): Business Park

F. Current Zoning Classification(s): A-2-10

G. Surrounding Land Uses:
   North: Agricultural use
   South: Agricultural use
   East: Agricultural use
H. Project Description, including the project type listed in Section II.C (Anticipated Future Projects) of the Master EIR (Attach additional maps/support materials as needed for complete record):

The proposed project includes the acquisition of 47.37 acres (APN 084-003-005) and the development of a water corporation yard. The corporation yard includes one 30,000 square-foot building that will be used as the office and storage. There will be an additional 1,440 square-foot warehouse building and 4,800 square-foot storage building. The proposed corporation yard will relocate three separate water facilities and combine them into a single location.

The site will have approximately 100 work vehicles and equipment parked on the site. Employees would report to the site and pick work vehicles. This site will also include storage of spoils, asphalt, rock, and sand kept in 8 open concrete 40’ by 50’ storage bins. Grinding of used asphalt and other materials and subsequent storage of the grounded materials will take place on approximately five acres. Pipe and other materials will be stored on approximately three acres.

I. Other Public Agencies Whose Approval is Required: None

III. FINDINGS/DETERMINATION (SELECT ONE ON THE BASIS OF THE ANALYSIS IN SECTION IV)

1. **X** Within the Scope - The project is within the scope of the Master EIR and no new environmental document or Public Resources Code Section 21081 findings are required. All of the following statements are found to be true:

   A. The subsequent project will have no additional significant effect on the environment, as defined in subdivision (d) of Section 21158 of the Public Resources Code, that was not identified in the Master EIR.

   B. No new or additional mitigation measures or alternatives are required.

   C. The subsequent project is within the scope of the project covered by the Master EIR.

   D. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the subsequent project or otherwise made conditions of approval of the subsequent project.

   E. No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, and no new information, which was not known and could not have been known at the time that the Master EIR was certified as complete, has become available.

2. **Mitigated Negative Declaration Required** - On the basis of the above determinations, the project is not within the scope of the Master EIR. A mitigated
negative declaration will be prepared for the project. The following statements are all found to be true:

A. The subsequent project is within the scope of the project covered by the Master EIR.

B. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the subsequent project or otherwise made conditions of approval of the subsequent project.

C. The project will have one or more potential new significant effects on the environment that were not addressed as significant effects in the Master EIR. New or additional mitigation measures are being required of the project that will reduce the effects to a less-than-significant level.

D. No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, and no new information, which was not known and could not have been known at the time that the Master EIR was certified as complete, has become available.

3. **Focused EIR Required**- On the basis of the above determinations, the project is not within the scope of the Master EIR. A Focused EIR will be prepared for the project. All of the following statements are found to be true:

A. The subsequent project is within the scope of the project covered by the Master EIR.

B. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the subsequent project or otherwise made conditions of approval of the subsequent project.

C. The project will have one or more new significant effects on the environment that were not addressed as significant effects in the Master EIR. New or additional mitigation measures or alternatives are required as a result.

D. No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, and no new information, which was not known and could not have been known at the time that the Master EIR was certified as complete, has become available.
4. Within the Scope Analysis of this Document:

The Master EIR allows projects to be found within the scope of the MEIR if certain criteria are met. If the following statements are found to be true for all 21 impact categories included in this Initial Study, then the proposed project is addressed by the MEIR analysis and is within the scope of the MEIR. Any "No" response must be discussed.

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
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<tbody>
<tr>
<td>(1) The lead agency for subsequent projects shall be the City of Modesto or a responsible agency identified in the Master EIR.</td>
<td>☒</td>
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<tr>
<td>(2) City policies which reduce, avoid, or mitigate environmental effects will continue to be in effect and, therefore, would be applied to subsequent projects where appropriate. The policies are described in the list of policies in place and mitigation measures attached to the Initial Study template. Project impacts would be mitigated to a less-than-significant level using MEIR mitigations only.</td>
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<tr>
<td>(3) Federal, State, regional, and Stanislaus County regulations do not change in a manner that is less restrictive on development than current law (i.e., would not offer the same level of protection assumed under the Master EIR).</td>
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<td>(4) No specific information concerning the known or potential presence of significant resources is identified in future reports, or through formal or informal input received from responsible or trustee agencies or other qualified sources.</td>
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<td>(5) The development will occur within the boundaries of the City's planning area as established in this Urban Area General Plan.</td>
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<tr>
<td>(6) Development within the project will comply with all appropriate mitigation measures contained and enumerated in the 2008 General Plan Master EIR.</td>
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</table>

5. Currency of the Master EIR Document

The MEIR should be reviewed on a regular basis to determine its currency, and whether additional analysis/mitigation should be incorporated into the MEIR via a Supplemental or Subsequent EIR (CEQA Section 21157.6). Staff has reviewed Sections 1 through 21 of this document in light of the criteria listed below to determine whether the MEIR is current. The analysis contained within the Master EIR is current as long as the following circumstances have not changed. Any "no" response must be explained.

<table>
<thead>
<tr>
<th>YES</th>
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<tbody>
<tr>
<td>(1) Certification of the General Plan Master EIR occurred less than five years prior to the filing of the application for this subsequent project.</td>
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<tr>
<td>(2) This project is described in the Master EIR and its approval will not affect the adequacy of the Master EIR for any subsequent project because the City can make the following findings:</td>
<td>☒</td>
</tr>
<tr>
<td>(a) No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified.</td>
<td>☒</td>
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<tr>
<td>(b) No new information, which was not known and could not have been known at the time</td>
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</table>
the Master EIR was certified as complete, has become available.

<table>
<thead>
<tr>
<th>(c)</th>
<th>Policies remain in effect which require site-specific mitigation, and avoidance or other mitigation of impacts as a prerequisite to future development.</th>
</tr>
</thead>
</table>

Discussion:

(1) The General Plan Master EIR was certified on October 14, 2008, so more than five years has passed since the MEIR was certified. However, the analysis contained in the MEIR is still adequate for subsequent projects, as documented in the discussion below.

(2) The project is consistent with the analysis contained in the MEIR. This is documented in the discussion of the individual issue areas of this initial study.

(2)(a) There have been no substantive changes to the General Plan since the MEIR was certified that would create additional significant environmental effects that were not analyzed by the MEIR.

(2)(b) There has been no new information that would affect the adequacy of the analysis contained in the MEIR.

(2)(c) All policies contained in the MEIR that require site-specific mitigation or avoidance of impacts remain in effect and will be applied to the project as appropriate.

IV. ENVIRONMENTAL ANALYSIS

This Initial Study, in accordance with Section 21157.1(b) of the Public Resources Code, discloses whether the proposed project may cause any project-specific significant effect on the environment that was not examined in the Final Master EIR (MEIR) for the General Plan and whether new or additional mitigation measures or alternatives may be required as a result. The Initial Study thereby documents whether or not the project is "within the scope" of the Master EIR.

Pursuant to Public Resources Code Section 21157.1, no new environmental document or findings are necessary for projects that are determined to be within the scope of the MEIR. Adoption of the findings specified in Section III.1, above after completion of the Initial Study fulfills the City's obligation in that situation.

All environmental effects cited reflect 2025 conditions resulting from the Urban Area General Plan, as identified in the Master EIR.

The environmental impact analysis in the Master EIR for the Urban Area General Plan is organized in twenty-one subject areas. The following analysis is based on the impact analyses contained in Chapter V of the Master EIR. For ease of reference, the sections are numbered in the same order as the analyses in Chapter V.

1. TRAFFIC AND CIRCULATION
a. **Significant Effects Identified in the Master EIR**

The Master EIR discloses the following residual significant and unavoidable traffic and circulation impacts expected after application of mitigations/policies:

**Direct Impacts**

**Effect:** Increased automobile traffic will result in roadway segments (see MEIR on Table V-1-7, pages V-1-28 to V-1-31) operating at LOS D, Modesto's significance threshold for automobile traffic, or lower (LOS E or F).

**Effect:** The substantial increase in traffic relative to the existing load and capacity of the street system will cause, either individually or cumulatively, the violation of automobile service standards established by StanCOG's Congestion Management Plan for designated roads and highways.

**Effect:** A substantial increase in automobile vehicle miles traveled and automobile vehicle hours of travel and a decrease in average automobile vehicle speed (see MEIR Table V-I-6, page V-1-28).

**Cumulative Impacts**

**Effect:** Potential for growth inducement or acceleration of development resulting from highway and local road projects.

**Effect:** Substantial increase in traffic in relation to the existing traffic load and capacity of the street system, including a violation, either individually or cumulatively, of an automobile LOS standard established by the Congestion Management Plan for designated roads and highways.

**Effect:** Increased demand for capacity-enhancing alterations to existing roads or automobile traffic reduction.

Other impact categories affected by Traffic and Circulation are addressed throughout this Initial Study (see also Section 2, Degradation of Air Quality; Section 3, Generation of Noise; Section 7 Loss of Sensitive Wildlife and Plant Habitat; Section 8, Disturbance of Archaeological/Historic Sites; Section 14 Increased Demand for Fire Services; Section 18, Energy; Section 19, Visual Resources; Section 20, Land Use and Planning, and Section 21, Climate Change).

b. **Master EIR and/or New Mitigation Measures Applied to the Project**

Traffic and Circulation mitigation measures pertinent to this project are found on MEIR pages V-1-9 through V-1-24. All mitigation measures appropriate to the project, including any new measures, will be incorporated into or made conditions of approval of this project and are listed in Section V, Mitigation Measures Applied to Project.

**Discussion:**

The appropriate mitigation to be applied to this project includes none from the MEIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. **Project-Specific Effects**
Section V-1.B of the Master EIR provides analysis of Traffic and Circulation impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

**Significance Criteria:** A subsequent development project will have a new significant effect on the environment if it would exceed the following criteria:

<table>
<thead>
<tr>
<th>1. TRAFFIC AND CIRCULATION</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</thead>
<tbody>
<tr>
<td>1) The proposed project exceeds traffic generation assumptions in the Master EIR for the site by 100 trips or more and City Engineering and Transportation staff has determined that the project would have additional potentially significant project-specific effects that are not avoided or reduced by the Master EIR's mitigation measures.</td>
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<td>2) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?</td>
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<td>3) The proposed project would cause additional roadway segments in the General Plan area to exceed LOS D and/or cause additional violations of standards in the Congestion Management Plan, and/or cause an increase in automobile vehicle miles or vehicle hours of travel or a decrease in automobile travel speed, as compared to the impacts disclosed in the Master EIR.</td>
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<tr>
<td>4) The proposed project would cause emergency response times to exceed acceptable standards established by the Fire Department, as compared to impacts disclosed in the Master EIR (see Section 14, Increased Demand for Fire Services).</td>
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<td>5) The proposed project would result in less parking than required by the Municipal Code or as determined by staff.</td>
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<td>6) The proposed project would conflict with adopted policies, plans, or programs that support alternative transportation, including, but not limited to the Regional Transportation Plan, the Sustainable Communities Strategy,</td>
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1. TRAFFIC AND CIRCULATION

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<th>Potentially Significant Impact</th>
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<td>the Bicycle Action Plan, and so on.</td>
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<tr>
<td>7) The proposed project would result in an increase in automobile vehicle miles traveled on a per capita basis, in excess of that considered in the Urban Area General Plan MEIR.</td>
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</table>

Discussion:

(1) 80 of the employees will be field crews and will report and leave the site between 6 am to 7 am and return to the site before leaving for home beginning around 3 pm to 3:30 pm. Most of these trips will not be made during the AM and PM peak hour traffic on the streets. 20 office staff will generate fewer than 20 trips during both AM and PM peak hours. Their traffic impacts on the streets are insignificant.

The proposed Water Corporation Yard site is designated as Business Park (BP) in the General Plan and is estimated to generate approximately 1,200 employees. The proposed Water Corporation Yard will have 100 employees. The traffic impact of the proposed Water Corporation Yard is much less than expected in the current General Plan.

(2) The proposed project would not exceed a level of service standard established by the county congestion management agency (StanCOG).

(3) There are no significant changes in the level of service or the volume-capacity ratio as a result of the project and therefore there are no significant cumulative (long term) traffic impacts.

(4) The proposed project would not impact emergency response time. The street improvements would help improve the response time.

(5) The proposed project would provide parking consistent with the Zoning Ordinance.

(6) The proposed project would not conflict with alternative transportation. The project includes plans to widen Litt Road to two lanes per County standards. At the time that the surrounding area is developed, Litt Road will be improved to City standards including bike lanes and bus stops.

(7) The proposed project would not result in a significant increase in automobile vehicle miles traveled (per capita) in excess of what was considered in the Urban Area General Plan.

2. DEGRADATION OF AIR QUALITY
a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable air quality impacts expected after application of mitigations/policies:

Direct Impacts

Effect: Expected automobile traffic will result in increased operational emissions of reactive organic gases (ROG) and oxides of nitrogen (NOx) (see MEIR Table 2-8, page V-2-26).

Effect: Expected automobile traffic will result in increased emissions of particulate matter 10 microns or less (PM_{10}) and 2.5 microns or less in diameter (PM_{2.5}) (see MEIR Table 2-8, page V-2-26).

Effect: Expected automobile traffic will result in increased carbon monoxide (CO) levels in the project area (see MEIR Table 2-7, page V-2-26, and Table 2-8, page V-2-26).

Cumulative Impacts

The Master EIR indicates the same impacts identified as direct impacts above will contribute to regional impacts on air quality for the criteria pollutants ROG, NOx, PM_{10}, and PM_{2.5}.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Air quality mitigation measure(s) pertinent to the proposed project are found on pages V-2-14 through V-2-23 of the Master EIR. All mitigation measures appropriate to the project will be incorporated into or made conditions of approval of this project and are listed in Section V, Mitigation Measures Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes AQ-39 through AQ-44, and AQ-46 through AQ-55 from the MEIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-2.B of the Master EIR is the analysis of air quality impacts resulting from development of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not analyzed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>2. DEGRADATION OF AIR QUALITY</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</table>
2. DEGRADATION OF AIR QUALITY

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<tr>
<th></th>
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<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project exceeds the project-level emissions thresholds established for CO, ROG, NOx, PM10, and PM2.5 by the San Joaquin Valley Air Pollution Control District (SJVUAPCD) and is not consistent with the development assumptions for the project site, as established in the Urban Area General Plan and Master EIR.</td>
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</tr>
<tr>
<td>2) The proposed project does not incorporate the best management practices established by the SJVAPCD for CO, ROG, NOx, PM10, and PM2.5.</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>3) The proposed project does not comply with the air quality policies in the Modesto Urban Area General Plan.</td>
<td>☐</td>
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<td>☒</td>
</tr>
<tr>
<td>4) The proposed project would expose sensitive receptors to pollutant concentrations in excess of those expected to occur as a result of implementation of the Urban Area General Plan.</td>
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</tr>
<tr>
<td>5) The proposed project would create objectionable odors affecting a substantial number of people.</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

Discussion:

(1) Emissions associated with the project would result from construction-related activity, an increase in traffic volumes, and site operation including asphalt grinding. The net increase in emissions generated by these activities and other secondary sources would not exceed the thresholds of significance recommended by the San Joaquin Valley Air Pollution Control District or the development assumptions established in the Master EIR. Mitigation measures AQ-39, AQ-40, and AQ-41 address reduction in emissions of PM-10 and other particulates. Mitigation measures AQ-42, AQ-43, AQ-44, and AQ-46 through AQ-56 address construction activities.

(2) This project would incorporate the best management practices established by the SJVUAPD (see mitigation measures in Section V). In addition, the project is subject to SJVAPCD Rule VIII (Fugitive Dust Rules) and Rule 9510 (Indirect Source Review). Rule VIII identifies control measures for PM10 emissions during the construction phase and the corporation yard operation including the asphalt
grinding activity. Rule 9510 fulfills the SJVAPCD's emission reduction commitments in the PM10 and Ozone Attainment Plans through design features or by payment of applicable off-site mitigation fees.

(3) Applicable air quality policies of the General Plan would be applied to the project.

(4) There are two residential dwellings near the project site. The project is not in itself a significant contributor to air pollution levels. The primary source of air pollution associated with the project would be traffic related and asphalt grinding but would not result in a significant impact. The PM10 emissions created through construction and site activities will be mitigated as called for by the MEIR with the measures listed above.

(5) Construction activities for the project could potentially include the application of architectural coatings and asphalt paving materials that could generate localized temporary odors. The use of diesel-powered equipment could also generate localized temporary odors. Construction and site activities will be mitigated as called for by the MEIR with the mitigation measures listed above.

3. GENERATION OF NOISE

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable noise impacts expected after application of mitigations/policies:

Direct Impacts

Effect: Future automobile traffic noise levels and roadway construction and maintenance activities resulting from development of the Urban Area General Plan will exceed the City’s noise thresholds at various locations, but particularly in areas adjacent to heavily traveled roadways (see MEIR Table 3-3, page V-3-11, and Table 3-6, pages V-3-19 and V-3-20).

Effect: Expected noise from airport operations and airport construction projects may expose up to 468 dwellings and three churches to noise levels of 65 dB CNEIL and up to eight dwellings to noise levels of 70 dB CNEIL.

Effect: Expose noise-sensitive land uses to noise from the construction of bicycle and transit projects.

Effect: Expose noise-sensitive land uses to noise from freight and passenger rail operations.

Cumulative Impacts

Effect: Traffic from development in the City of Modesto would, when combined with traffic from new development in the County and other cities, contribute to a cumulative increase in roadside noise levels on major roads and highways throughout Stanislaus County.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Noise policies and mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-3-12 through V-3-15 of the Master EIR. All mitigation measures appropriate to the
project will be incorporated into or made conditions of approval of this project and any new measures are listed in Section V, Mitigation Applied to Project.

**Discussion:**

The appropriate mitigation to be applied to this project includes N-1, N-2, and N-3 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. **Project-Specific Effects**

Section V-3.B of the MEIR discloses noise impacts resulting from development of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not analyzed in the Master EIR.

**Significance Criteria:** Determination of the proposed project's effects are based on the following thresholds. Project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>3. GENERATION OF NOISE</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project will exceed the standards for noise level and hours of operation established by the Modesto noise ordinance.</td>
<td>□</td>
<td>□</td>
<td>✗</td>
<td>□</td>
</tr>
<tr>
<td>2) The proposed project will not comply with the noise policies of, or otherwise be inconsistent with, the Modesto Urban Area General Plan.</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>✗</td>
</tr>
<tr>
<td>3) The proposed project will result in an increase in ambient noise levels in the project vicinity above those disclosed in the Master EIR.</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>✗</td>
</tr>
<tr>
<td>4) The proposed project will result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels disclosed in the Master EIR implementation of the Urban Area General Plan.</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>✗</td>
</tr>
</tbody>
</table>

**Discussion:**

(1) The project would not generate a significant amount of noise. The asphalt grinder will operate about twice per year for a total time of one to two months. It generates noise levels similar to farm equipment used in the area. The grinder operation will be on the east side of the site at approximately 1,000 feet to the nearest dwelling unit and 800 feet from adjacent properties to the north and south also designated for business park use. The grinder operation will be
subject to the mitigation measures N-1 and N-2 that identifies the City's noise ordinance requirements regarding prohibition of loud raucous noise and hours of operation. Construction activities could potentially cause a temporary increase in noise levels; however, mitigation measure N-3 will be applied to the project, which would mitigate those impacts to a less than significant level.

(2) The project would comply with the noise policies of the General Plan.

(3, 4) Aside from temporary construction-related noise which will be mitigated through the application of mitigation measure N-3, the project would not in itself cause an increase in ambient noise above those disclosed in the General Plan MEIR.

4. EFFECTS ON AGRICULTURAL LANDS

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on agricultural lands expected after application of mitigations/policies:

Direct Impacts

Effect: Between 1995 and 2025, development of the Urban Area General Plan may convert up to approximately 26,000 acres of farmland in various categories in the Planned Urbanizing Area to urban uses.

Effect: Approximately 1,200 acres of urban development along a 28.5-mile boundary 350 feet wide between urban and agricultural uses could be affected by continued agricultural operations, including noise, dust, and chemical overspray or drift.

Cumulative Impacts

Effect: Growth within Modesto's planning area would contribute considerably to the loss of agricultural land within Stanislaus County, accounting for the conversion of as much as approximately 26,000 acres of farmland in various categories in the Planned Urbanizing Area from 1995 to 2025.

b. Master EIR and/or New Mitigation Measures Pertinent to the Project

Agricultural land mitigation measures pertinent to the proposed project are found on pages V-4-6 to and V-4-8 of the Master EIR. All mitigation measures appropriate to the project and any new mitigation to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects
Section V-4.B of the Master EIR discloses the impacts resulting from the implementation of the Urban Area General Plan on agricultural lands. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the Master EIR.

**Significance Criteria:** Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>4. EFFECTS ON AGRICULTURAL LANDS</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project is inconsistent with the Urban Area General Plan's policies relating to agricultural land.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>2) The proposed project will either directly or indirectly result in the development of land outside the 2008 Urban Area General Plan’s planning area boundary.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>3) The proposed project will conflict with existing zoning for agricultural use, or there is an existing Williamson Act contract on the project site.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>4) The proposed project will involve other changes in the existing environment not anticipated in the Master EIR which, due to their location or nature, could result in conversion of farmland to non-agricultural use.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

**Discussion:**

1, 2) The project site is located within the Urban Area General Plan and is consistent with policies related to agricultural land.

3) There is no Williamson Act contract on the project site.

4) This site is designated for Business Park that allows for light industrial use. The proposed corporation yard is consistent with a light industrial use and will not result in the conversion of farmland to non-agricultural use.

5. **INCREASED DEMAND FOR LONG-TERM WATER SUPPLIES**

a. **Significant Effects Identified in the Master EIR**
The Master EIR discloses the following residual significant and unavoidable impacts on long-term water supplies expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts have been disclosed in the Master EIR.

Cumulative Impacts

Effect: Operational yields of the Modesto and Turlock subbasins, both of which underlie the City of Modesto, are unknown, although the City is participating in a study with the United States Geological Survey in order to quantify the operational yields of both subbasins. Groundwater withdrawals from both basins by the City, when combined with other users’ withdrawals, may result in overdrafting both subbasins.

Effect: Despite available options, during drought years, significant water shortages are forecast for the San Joaquin River basin, which includes both the Modesto and Turlock subbasins, by 2020. Modesto would make a cumulatively considerable contribution to the cumulative impact on water supply under drought conditions.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Water supply mitigation measures pertinent to the proposed project are found on pages V-S-6 through V-S-11 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-5.B of the Master EIR discloses impacts on long-term water supplies resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>5. INCREASED DEMAND FOR LONG-TERM WATER SUPPLIES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project is inconsistent with</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
## 5. INCREASED DEMAND FOR LONG-TERM WATER SUPPLIES

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water supply policies in the Urban Area General Plan.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2) Water demand for the proposed project will exceed estimates for similar projects or for development on the project site anticipated in the Urban Area General Plan or sufficient water supplies are not otherwise available to serve the project from existing entitlements and resources.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>3) The proposed project would deplete groundwater supplies to a greater degree than anticipated in the Urban Area General Plan or would interfere with groundwater recharge.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

### Discussion:

1. The project is consistent with the water supply policies in the General Plan.
2. The project will require minimal water usage. There will be a maximum of 100 employees reporting to the site with approximately 80 employees leaving the site to work in the field all day. The water demand for the project will not exceed estimates for similar projects.
3. The proposed project is consistent with the groundwater demands assumed in the General Plan. The project would not have a significant effect on groundwater recharge or depletion of long-term water supplies.

## 6. INCREASED DEMAND FOR SANITARY SEWER SERVICES

### a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on sanitary sewer services after application of mitigations/policies:

**Direct Impacts**

*Effect:* Development resulting from implementation of the Urban Area General Plan will require substantial new sewage treatment and disposal capacity, treatment plant improvements, sewer mains and collection lines, and pump stations. The Wastewater Master Plan anticipates the need for these facilities and its EIR evaluates the impact of developing those facilities. Potential impacts include degradation of water quality through erosion and chemical releases; localized flooding; construction noise; exposure of construction workers and the public to hazardous materials; and on the habitat of the elderberry longhorn beetle, burrowing owl, and Swainson's hawk, as well as certain other regulated habitats. All of these impacts are mitigated to a less-than-significant level.
Additional impacts that are not mitigated to a less-than-significant level include loss of farmland caused by construction of the Phase IA tertiary treatment facility at the Jennings Road Secondary Treatment Facility, an increase in pollutant loads from increased wastewater flows to the San Joaquin River, and an increase in noise and criteria air pollutants due to construction activities, including traffic.

**Cumulative Impacts**

**Effect:** No additional cumulative impacts were identified in the Master EIR.

**b. Master EIR and/or New Mitigation Measures Applied to the Project**

Sewer service mitigation measures pertinent to the proposed project are found on pages V-6-2 through V-6-7 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project.

**Discussion:**

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

**c. Project-Specific Effects**

Section V-6.B of the Master EIR discloses impacts on the Increased Demand for Sanitary Sewer Service resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

**Significance Criteria:** Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>6. INCREASED DEMAND FOR SANITARY SEWER SERVICES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project is inconsistent with wastewater policies in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>2) The proposed project will generate sewage flows greater than those anticipated in the Urban Area General Plan for the project site.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>3) The proposed project will result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
Discussion:

(1) The project is consistent with the wastewater policies in the General Plan. The project site is planned for business park development.

(2) The proposed project will generate minimal sewage flows and would not be greater than those anticipated in the Urban Area General Plan.

(3) There is adequate capacity to serve the project. The proposed corporation yard is combining three separate water services locations in the city into one site. There will be the less sewer flows than assumed in the General Plan.

7. LOSS OF SENSITIVE WILDLIFE AND PLANT HABITAT

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on sensitive wildlife and plant habitat expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant impacts on sensitive wildlife and plant habitat are expected to occur with the application of the policies contained in the Urban Area General Plan.

Cumulative Impacts

Effect: Implementation of the Urban Area General Plan will contribute to the cumulative impact of habitat loss in the San Joaquin Valley. Requiring density development than has occurred in the past or that is expected in the future would minimize the City’s contribution to the cumulative loss of habitat. Nonetheless, this is a significant and unavoidable impact.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Wildlife and plant habitat mitigation measures pertinent to the proposed project are found on pages V-7-18 through V-7-24 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes SWPH-13 (j, k) from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-7.B of the Master EIR discloses impacts on the Loss of Sensitive Wildlife and Plant Habitat resulting from implementation of the Urban Area General Plan. The
following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

**Significance Criteria:** Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>7. LOSS OF SENSITIVE WILDLIFE AND PLANT HABITAT</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The project is inconsistent with the policies pertaining to the loss of sensitive wildlife and plant habitat contained in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>2) Consultation with the California Department of Fish and Game or the U.S. Fish and Wildlife Service determines that the project would have a significant effect on a candidate, sensitive, or special status species in excess of the impact disclosed in the Master EIR.</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>3) The proposed project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means, in excess of the impact disclosed in the Master EIR.</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>4) The proposed project would substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>5) Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>6) The proposed project would conflict with provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
</tbody>
</table>

**Discussion:**

(1, 2) The project site is agricultural land within the Planned Urbanized Area that is surrounded by agricultural uses. The project site in planned for development and would be consistent with General Plan policies regarding sensitive plant and
wildlife habitat. The California Department of Fish and Wildlife were consulted in the course of preparing the General Plan MEIR. Mitigation measure SWPH-13 of the Master EIR provides policies for sensitive biological habitats.

(3) The project site is not located within a wetland area and does not qualify as a federally protected wetland per Section 404 of the Clean Water Act.

(4) The project site is not within a biologically sensitive site as defined by Figures V-7-1a through V 7-1e of the MEIR.

(5) The project would not interfere with local policies or ordinances protecting biological resources.

(6) The proposed project would not conflict with any adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.

8. DISTURBANCE OF ARCHAEOLOGICAL/HISTORICAL SITES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on archaeological/historical sites expected after application of mitigations/policies:

Direct Impacts

Effect: Modification resulting in a substantial adverse change in the significance of a historic resource or the demolition of a listed or eligible historic resource.

Effect: The modification or demolition of a structure more than 50 years in age may be significant.

Effect: Discovery of archaeological resources in areas outside of the riparian corridors, as a result of construction activities.

Effect: Construction in an area of high archaeological sensitivity.

Cumulative Impacts

Effect: No additional cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Archaeological or historic mitigation measures pertinent to the project being analyzed in this Initial Study are found on page V-8-15 through V-8-19 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Applied to Project:
Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-8.B of the MEIR discloses impacts on archaeological/historical resources resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>8. DISTURBANCE OF ARCHAEOLOGICAL/HISTORICAL SITES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project is inconsistent with the archaeological/historical resource policies in the Urban Area General Plan.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2) The proposed project would demolish a building eligible for listing as a historic resource or remove a landmark from the Modesto inventory.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3) The proposed project would modify or demolish a structure more than 50 years in age.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4) The project would adversely affect a cultural resource that is either listed or eligible for listing in the California Register of Historical Resources.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5) Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Discussion:

1) The project is consistent with the archeological and historical resource policies in the General Plan.

2-3) The project site is agricultural land with no structures.

4) The project would not affect a resource that is listed or eligible for listing in the California Register of Historic Resources.
(5) The project would not conflict with local policies affecting biological resources.

9. INCREASED DEMAND FOR STORM DRAINAGE

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on storm drainage expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: The population of Stanislaus County is projected to increase in a fashion similar to that of Modesto, resulting in additional urban development and associated increases in impervious surface area and associated increases in storm water runoff. Cumulative hydrologic impacts of storm water flows from Modesto urban areas and other areas of the County could occur due to the fixed capacity of MID and TID irrigation canals to convey drainage west to the San Joaquin River. If drainage channels in some areas prove insufficient to handle the increased drainage discharges, existing storm water runoff from urban and agricultural areas during large storm events would have to be interrupted until water levels receded to a point allowing the resumption of discharges to the channel. Ceasing discharges to drainage channels could cause inundation in and around the drainage conveyance pipeline systems, surface drainage channels, detention basins, and other urban areas. This cumulative impact is considered significant and unavoidable.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Storm Drainage mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-9-4 through V-9-9. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project:

Discussion:

The appropriate mitigation to be applied to this project includes SD-9 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-9.B of the MEIR discloses impacts on the demand for storm drainage resulting from development of the Urban Area General Plan. The following is an analysis of
whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>9. INCREASED DEMAND FOR STORM DRAINAGE</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project is inconsistent with the storm drainage policies in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>2) The proposed project would substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or offsite, as compared to impacts anticipated to result from the Urban Area General Plan or create substantial unanticipated sources of polluted runoff.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>3) The proposed project does not utilize Low Impact Development strategies to reduce runoff from the site and increase infiltration, resulting in no net increase in runoff before and after development.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

Discussion:

(1) The proposed project is consistent with the storm drainage policies in the Urban Area General Plan.

(2) The project will contribute additional water runoff but would not generate more runoff than anticipated from the Urban Area General Plan.

(3) The project will utilize low impact strategies and meet the standards contained in the “Guidance Manual for New Development-Storm Water Quality Control Measures.” This requirement will be implemented as a condition of project approval.

10. FLOODING AND WATER QUALITY

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on flooding and water quality expected after application of mitigations/policies:

Direct Impacts
Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Flooding and Water Quality mitigation measures pertinent to the project being analyzed in this Initial Study are found on pages V-10-6 through V-10-9 of the Master EIR. All mitigation measures appropriate to the project will be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Applied to Project:

Discussion:

The appropriate mitigation to be applied to this project includes FWQ-13 from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-10.B of the Master EIR provides analysis of Flooding and Water Quality impacts of development of the General Plan, the following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not previously analyzed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>10. FLOODING AND WATER QUALITY</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project is inconsistent with the flooding and water quality policies in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>2) The proposed project does not comply with the regulatory requirements of the federal Clean Water Act or the State Porter-Cologne Act.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>3) The proposed project would place more housing within a 100-year flood hazard zone than assumed in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>4) The proposed project would place structure within a 100-year flood hazard area so that they would impede or redirect floodwater or would substantially alter the existing on-site drainage pattern or a watercourse, in such</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
### 10. FLOODING AND WATER QUALITY

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a way as to cause flooding on- or offsite.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5) The proposed project does not comply with Modesto's Guidance Manual for New Development Storm Water Quality Control Measures.</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
</tr>
<tr>
<td>6) The proposed project would violate water quality standards or waste discharge requirements.</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
</tr>
<tr>
<td>7) The proposed project would substantially alter the existing drainage pattern of the site or area or a watercourse in a manner that would result in substantial erosion or siltation on- or offsite in excess of the assumptions of the Urban Area General Plan.</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
</tr>
<tr>
<td>8) The proposed project would create or contribute runoff, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff, not expected as part of Urban Area General Plan implementation.</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
<td>❌</td>
</tr>
</tbody>
</table>

**Discussion:**

1. The proposed project is consistent with the flooding and water quality policies in the Urban Area General Plan.

2. The project would comply with the Federal Clean Water Act and the Porter Cologne Act requirements.

3-4. The project site is not within a 100-year flood hazard zone as established by the Federal Emergency Management Agency (FEMA).

5. The project will comply with the Guidance Manual for New Development Storm Water Quality Control Measures (MIER Policy SD-11). This will be implemented as a condition of project development.

6. The project will not violate water quality standards or waste discharge requirements.

7. The project would not substantially alter the existing drainage pattern of the site, area or a watercourse in a manner that would result in erosion or siltation.

8. The project will not contribute additional water runoff that would exceed the capacity of the storm drainage system and would not generate additional runoff beyond the expectation of the Urban Area General Plan.
11. INCREASED DEMAND FOR PARKS AND OPEN SPACE

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on parks and open space expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Parks and open space mitigation measures pertinent to the proposed project are found on pages V-11-3 through V-11-8 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Applied to Project:

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-11.B of the MEIR discloses impacts of the Urban Area General Plan on parks and open space. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. Project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>11. INCREASED DEMAND FOR PARKS AND OPEN SPACE</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project is inconsistent with the parks and open space policies in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>2) The proposed project would eliminate parks or open space.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>3) The proposed project would cause an increase in the use of existing neighborhood</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
### 11. INCREASED DEMAND FOR PARKS AND OPEN SPACE

| and regional parks or other recreational facilities such that substantial physical deterioration of the facility in question would occur or be accelerated or the proposed project would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |

*Discussion:*

1. The project is consistent with the parks and open space policies in the General Plan.
2. The project would not eliminate an existing park or designated open space. The project is on a site designated for Business Park.
3. The project would not increase in the use of existing park facilities.

### 12. INCREASED DEMAND FOR SCHOOLS

**a. Significant Effects Identified in the Master EIR**

The Master EIR discloses the following residual significant and unavoidable impacts on school facilities expected after application of mitigations/policies:

**Direct Impacts**

*Effect:* No residual significant direct impacts were disclosed in the Master EIR. By statute, the impact of new students is considered to be mitigated below a level of significance by payment of school impact fees and the exercise of any or all of the financing options set out in Government Code Section 65997.

**Cumulative Impacts**

*Effect:* Similar to direct impacts of implementation of the Urban Area General Plan, no residual significant direct impacts were disclosed in the Master EIR.

**b. Master EIR and/or New Mitigation Measures Applied to the Project**

Mitigation relies upon the implementation of the policies in place under the Modesto Urban Area General Plan. As long these policies are applied to all subsequent projects, no new mitigation is necessary. Further, payment of school impact fees and compliance with SB 50 is statutorily deemed to be full mitigation of school impacts (Government Code Section 65995).
The following schools mitigation measures on pages V-12-4 through V-12-7 of the Master EIR are pertinent to the proposed project. All mitigation measures appropriate to the project will be incorporated into or made conditions of approval of this project. Those measures are listed in Section V, Mitigation Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-12.B of the Master EIR discloses impacts resulting from implementation of the Urban Area General Plan associated with increased demand for schools. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>12. INCREASED DEMAND FOR SCHOOLS</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project is inconsistent with the policies relating to schools in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>2) The proposed project does not comply with SB 50/Proposition 1A funding provisions, or succeeding measures which state that compliance results in less-than-significant impacts on schools.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

Discussion:

(1) The project is consistent with the policies relating to schools in the General Plan.

(2) The proposed corporation yard would have no effects related to demand for schools.

13. INCREASED DEMAND FOR POLICE SERVICES

a. Significant Effects Identified in the Master EIR
The Master EIR discloses the following residual significant and unavoidable impacts on police services expected after application of mitigations/policies:

**Direct Impacts**

**Effect:** No residual significant direct impacts were disclosed in the Master EIR.

**Cumulative Impacts**

**Effect:** No residual significant cumulative impacts were disclosed in the Master EIR.

**b. Master EIR and/or New Mitigation Measures Applied to the Project**

Police services mitigation measures pertinent to the proposed project are found on pages V-13-2 through V-13-5 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project.

**Discussion:**

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

**c. Project-Specific Effects**

Section V-13.B of the Master EIR discloses impacts on police services resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

**Significance Criteria:** Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>13. INCREASED DEMAND FOR POLICE SERVICES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project is inconsistent with policies relating to police services in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>2) The proposed project would result in the need for new or significantly altered facilities not considered as part of the Urban Area General Plan or Master EIR which could cause new significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
Discussion:

(1) The project is consistent with the policies relating to police services in the General Plan.

(2) The project would not result in the need for construction of new or significantly altered facilities which could cause new significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives. The project meets City Standards for emergency services access.

14. INCREASED DEMAND FOR FIRE SERVICES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on fire services expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Fire Services mitigation measure(s) pertinent to the project being analyzed in this Initial Study are found on pages V-14-4 through V-14-6 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-14.B of the Master EIR discloses impacts on fire services resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:
### 14. INCREASED DEMAND FOR FIRE SERVICES

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The proposed project is inconsistent with the fire service policies in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>2</td>
<td>The proposed project would result in the need for new or significantly altered facilities not considered as part of the Urban Area General Plan or Master EIR which could cause new significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>3</td>
<td>The proposed project, based upon substantial evidence, would cause the erosion or elimination of fire protection services in adjoining fire protection districts.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

**Discussion:**

1. The project is consistent with the fire service policies in the General Plan.

2. The project would not result in the need for construction of new or significantly altered facilities which could cause new significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives.

3. The project would not significantly impact adjacent fire districts or result in the elimination of fire protection services.

### 15. GENERATION OF SOLID WASTE

**a. Significant Effects Identified in the Master EIR**

The Master EIR discloses the following residual significant and unavoidable impacts on solid waste expected after application of mitigations/policies:

**Direct Impacts**

*Effect:* No residual significant direct impacts were disclosed in the Master EIR.

**Cumulative Impacts**

*Effect:* No residual significant cumulative impacts were disclosed in the Master EIR.

**b. Master EIR and/or New Mitigation Measures Applied to the Project**
Solid waste mitigation measures pertinent to the proposed project are found on pages V-15-4 through V-15-6 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-15.B of the Master EIR discloses solid waste impacts resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. Project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>15. GENERATION OF SOLID WASTE</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The project is inconsistent with the solid waste policies in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>2) The County is unable to expand its solid waste disposal capacity, as expected, causing all new development to result in cumulative impacts on the County's disposal capacity.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

Discussion:

(1) The project is consistent with the solid waste policies in the General Plan.

(2) The proposed street improvements would have no effects related to generation of solid waste.

16. GENERATION OF HAZARDOUS MATERIALS

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts regarding hazardous materials expected after application of mitigations/policies:

Direct Impacts
Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Hazardous materials mitigation measures pertinent to the proposed project are found on pages V-16-8 through V-16-12 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of this project are listed in Section V, Mitigation Measures Applied to Project.

Discussion:
The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-16.B of the Master EIR discloses impacts on hazardous materials resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>16. GENERATION OF HAZARDOUS MATERIALS</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The project is inconsistent with the hazardous materials policies in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>2) The proposed project would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>3) The proposed project would be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and as a result, would create a significant hazard to the public or the environment.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>4) The proposed project would be constructed on a contaminated site not known to the State of California as</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
16. GENERATION OF HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>of March 2008.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Discussion:

(1) The project is consistent with the hazardous materials policies in the General Plan.

(2) The project would comply with all applicable federal, state, and county standards and regulations relative to the handling, storage, disposal, and transport of hazardous or toxic materials or wastes.

(3) The project area is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and as a result, would not create a significant hazard to the public or the environment.

(4) The project site is not known to contain any contaminants.

17. GEOLOGY, SOILS, AND MINERAL RESOURCES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts related to geology, soils, and mineral resources expected after application of mitigations/policies:

Direct Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

Cumulative Impacts

Effect: No residual significant direct impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

Geology, soils, and mineral resource mitigation measures pertinent to the proposed project are found on pages V-17-9 and V-17-10 of the Master EIR. All mitigation measures appropriate to the project to be incorporated into or made conditions of approval of the proposed project are listed in Section V, Mitigation Measures Applied to Project.
Discussion:
The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-17.B of the Master EIR discloses geology, soils, and mineral resource impacts resulting from implementation of the Urban Area General Plan. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. Project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>17. GEOLOGY, SOILS, AND MINERAL RESOURCES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The project is inconsistent with policies relating to geology, soils, and mineral resources contained in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>2) The proposed project would expose people or structures to potential substantial adverse effects including the risk of loss, injury, or death involving fault rupture, strong seismic activity; location on an expansive soil; result in the loss of topsoil; location on soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater; result in the loss of known mineral resources that would be of value to the region and the state; or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

Discussion:

(1) The project is consistent with policies related to geology, soils and mineral resources in the General Plan.
(2) The project would not be located on soil that is unstable or that would become unstable as a result of the project. There are no known mineral resources of value to the region or state at the project site.

18. ENERGY

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts pertaining to energy expected after application of mitigations/policies:

Direct Impacts

Effect: Continued development in the Planned Urbanizing Area would have an impact on available energy supplies. Energy consumption likely would increase substantially by 2025 as a result of implementation of the Urban Area General Plan.

Cumulative Impacts

Effect: Implementation of the Urban Area General Plan will have a cumulatively considerable impact on energy consumption.

b. Master EIR and/or New Mitigation Measures Applied to the Project

The following energy mitigation measures pertinent to the proposed project are found on pages V-18-2 through V-18-7 in the Master EIR. All mitigation measures appropriate to the project will be incorporated into or made conditions of approval of this project. Those measures will be listed in Section V, Mitigation Applied to Project.

Discussion:

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-18.B of the Master EIR discloses impacts of implementing the Urban Area General Plan on energy resources. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:
18. ENERGY

<table>
<thead>
<tr>
<th>Impact</th>
<th>Less Than Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project is inconsistent with policies relating to energy in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>2) The proposed project would result in energy consumption during construction, operation, maintenance, or removal that is more wasteful, inefficient, and unnecessary than assumed in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

Discussion:

(1) The project is consistent with the energy policies in the General Plan.

(2) The project would not result in energy consumption during construction, operation, maintenance or removal that is more wasteful, inefficient and unnecessary than assumed in the General Plan.

19. EFFECTS ON VISUAL RESOURCES

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts on visual resources expected after application of mitigations/policies:

Direct Impacts

Effect: New development in the Planned Urbanizing Area will occur in areas that are in agricultural production or are otherwise lightly developed, which could lead to the introduction of light and glare in areas that have little nighttime illumination.

Cumulative Impacts

Effect: No additional cumulative impacts were disclosed in the Master EIR.

b. Master EIR and/or New Mitigation Measures Applied to the Project

The following visual resources mitigation measures pertinent to the proposed project are found on pages V-19-3 and V-19-4 in the Master EIR. All mitigation measures appropriate to the proposed project will be incorporated into or made conditions of approval of this project. Those measures will be listed in Section V, Mitigation Applied to Project.
Discussion:
The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-18.B of the Master EIR discloses impacts of implementing the Urban Area General Plan on energy resources. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

Significance Criteria: Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>19. EFFECTS ON VISUAL RESOURCES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project is inconsistent with policies relating to visual resources in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>2) The proposed project would degrade views from riverside areas and parks to a greater degree than assumed in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>3) The proposed project would degrade views of riverside areas from public roadways and nearby properties to a greater degree than assumed in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

Discussion:

(1) The project is consistent with the policies related to the visual resources in the General Plan.

(2-3) The project site is not in the vicinity of riverside areas and would not degrade views to parks to a greater degree than assumed in the Urban Area General Plan. Mary Grogan Community Park is located about .2 mile to the south. The nearest waterway is the Dry Creek, 2.5 miles to the south. The facility will include fencing and landscaping to screen outdoor storage areas consistent with city standards.

20. LAND USE AND PLANNING

a. Significant Effects Identified in the Master EIR
The Master EIR discloses the following residual significant and unavoidable impacts pertaining to land use and planning expected after application of mitigations/policies:

**Direct Impacts**

**Effect:** No residual significant direct impacts were disclosed in the Master EIR.

**Cumulative Impacts**

**Effect:** No residual significant cumulative impacts were disclosed in the Master EIR.

**b. Master EIR and/or New Mitigation Measures Applied to the Project**

The following land use and planning mitigation measures pertinent to the proposed project are found on pages V-20-7 through V-20-15 in the Master EIR. All mitigation measures appropriate to the project will be incorporated into or made conditions of approval of this project. Those measures will be listed in Section V, Mitigation Applied to Project.

**Discussion:**

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

**c. Project-Specific Effects**

Section V-20.B of the Master EIR discloses impacts of implementing the Urban Area General Plan on land use and planning. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

**Significance Criteria:** Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>20. LAND USE AND PLANNING</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project is inconsistent with land use and planning policies in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>2) The proposed project contains elements that would physically divide an established community in a way not assumed in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>3) The proposed project conflicts with a land use plan, policy or regulation established for the purpose of</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
20. LAND USE AND PLANNING

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>4) The proposed project conflicts with an applicable habitat conservation plan or natural community conservation plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

Discussion:

(1) The land use for the site is designated as Business Park (BP) in the General Plan. The designation provides for light industrial uses. The proposed water corporation yard is consistent with the land use and planning policies in the General Plan.

(2) The proposed project would not divide an established community. The project site is surrounded with agricultural uses but the area to the north and south is also designated Business Park and is expected to eventually also develop with business park and light industrial uses compatible with corporation yard. The area to the east is not in the Modesto Urban Area and is separated by the Burlington Northern Sante Fe Railroad tracks and Terminal Avenue. The area to the west is designated as Village Residential and separated by Litt Road.

(3) The project does not conflict with the land use plan, policies and regulations of the City of Modesto designed to mitigate project impacts.

(4) The project does not conflict with applicable habitat conservation plans or natural community conservation plans.

21. CLIMATE CHANGE

a. Significant Effects Identified in the Master EIR

The Master EIR discloses the following residual significant and unavoidable impacts pertaining to climate change expected after application of mitigations/policies:

Direct Impacts

Effect: Impacts resulting from implementation of the Urban Area General Plan are not substantial enough to result in a significant direct impact on climate change, as disclosed in the Master EIR.

Cumulative Impacts
**Effect:** Implementation of the Urban Area General Plan will have a cumulatively considerable impact on climate change.

b. Master EIR and/or New Mitigation Measures Applied to the Project

The following climate change mitigation measures pertinent to the proposed project are found on pages V-21-7 through V-21-10 in the Master EIR. All mitigation measures appropriate to the project will be incorporated into or made conditions of approval of this project. Those measures will be listed in Section V, Mitigation Applied to Project.

**Discussion:**

The appropriate mitigation to be applied to this project includes none from the Master EIR. No new or additional mitigation measures or alternatives are required to reduce project impacts to a less-than-significant level.

c. Project-Specific Effects

Section V-18.B of the Master EIR discloses impacts of implementing the Urban Area General Plan on climate change. The following is an analysis of whether the proposed project would result in a new, significant, project-specific effect not disclosed in the Master EIR.

**Significance Criteria:** Determination of project effects will be based on the following thresholds. The project-specific effects will be less than significant unless:

<table>
<thead>
<tr>
<th>21. CLIMATE CHANGE</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project is inconsistent with policies relating to climate change in the Urban Area General Plan.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>2) The proposed project would result in average automobile trip lengths or CO₂ emissions higher than those assumed in the Master EIR.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>3) The proposed project would conflict with the Sustainable Communities Strategy or Alternative Planning Strategy that the Air Resources Board has agreed will achieve the goals of AB 32.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

**Discussion:**

(1) The City of Modesto General Plan Master EIR addressed potential climate change impacts due to development and other activities associated with the Urban Area General Plan (UAGP).
Urban Area General Plan Master EIR (MEIR) determined that buildout of the UAGP would make a cumulatively considerable contribution to global climate change. The UAGP nonetheless authorizes development that will contribute to global climate change by virtue of the production of greenhouse gases. The MEIR states the projected rate of growth of vehicle miles traveled (VMT) will increase the City's contribution to global climate change as the City develops. Development under the UAGP is expected to generate approximately 1,096,226.4 metric tons per year above 2005 emissions. The City Council adopted a Statement of Overriding Considerations in 2008, finding that the benefits of the UAGP outweighed the City's increased contribution to global climate change.

The MEIR identifies policies CL-3 through CL-26 as policies in effect that have been determined to reduce, avoid or mitigate air quality environmental impacts within the existing City limits and within the Planned Urbanizing Areas as they annex and develop. These policies include but are not limited to, the use of shade trees to reduce the heat island effect, current energy efficient building standards to reduce energy consumption, and the inclusion of facilities for alternative transportation. The proposed project is required to develop in accordance with climate change policies included in the UAGP and the MIER.

(2) Climate change is an inherently cumulative impact because no single project can produce enough greenhouse gases to substantially alter the global climate. No thresholds have been set for individual or cumulative greenhouse gases. Nonetheless, the proposed project would result in greenhouse gas emissions due primarily to automobile travel and energy use for lighting, heating, cooling and other activities. The primary source of CO₂ emissions generated from the project would be related to automobile trips. As identified under the traffic and circulation discussion, traffic engineering staff has determined that the project will be in substantial conformance with the GP MEIR assumptions for traffic generation, the CO₂ emissions generated from the project would also be in substantial conformance with that which was assumed under the GP MEIR analysis.

(3) A Sustainable Communities Strategy has not yet been implemented by the Air Resources Board. Future development will be required to comply with the provisions of the Sustainable Communities Strategy once it is established.

V. MITIGATION MEASURES APPLIED TO THE PROPOSED PROJECT

If the Initial Study results in the determination that a Finding of Conformance can be adopted for the proposed project Section A below applies. If the Initial Study results in the determination that a Finding of Conformance cannot be adopted and a Mitigated Negative Declaration/EIR must be prepared for the project then Section B, below applies.

A. Master EIR Mitigation Measures Applied to the Project

Pursuant to Public Resources Code Section 21157.1(c), in order for a Finding of Conformance to be made, all appropriate mitigation measures from the Master EIR shall be incorporated into the proposed project. Urban Area General Plan Policies/Master EIR mitigation measures shall be made part of the proposed project prior to approval by means of conditions of project approval or incorporation into the appropriate document or plan.
All applicable and appropriate mitigation measures have been applied to the project (see mitigation measures listed below).

**B. New or Additional Mitigation Measures or Alternatives Required**

Where the project's effects would exceed the significance criteria for each environmental impact category, a mitigated negative declaration or Focused EIR must be prepared. Staff has reviewed the project against the significance criteria thresholds established in the Master EIR for all impact categories in this Initial Study.

A Mitigated Negative Declaration or Focused EIR shall be prepared for the project. The following additional project-specific mitigation measures listed below are necessary to reduce the identified new significant effect:

**Traffic and Circulation:**

N/A

**Degradation of Air Quality:**

AQ-39: The City of Modesto should work with the SJVAPCD to reduce particulate emissions from construction, grading, excavation, and demolition to the maximum extent feasible in accordance with the requirements of SJVAPCD Regulation VIII. Regulation VIII was adopted to reduce the amount of particulate matter suspended in the atmosphere as a result of emissions generated from anthropogenic (man-made) fugitive dust sources.

AQ-40: The City of Modesto shall require all access roads, driveways, and parking areas serving new commercial and industrial development are to be constructed with materials that minimize particulate emissions in accordance with the requirements of SJVAPCD Regulation VIII and are appropriate to the scale and intensity of use.

AQ-42: All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.

AQ-43: All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.

AQ-44: All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.

AQ-46: When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

AQ-47: All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient...
wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)

AQ-48: Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.

AQ-49: Within urban areas, track out shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.

AQ-50: Any site with 150 or more vehicle trips per day shall prevent carryout and track out.

The following measures should be implemented at construction sites when required to mitigate significant PM10 impacts (note, these measures are to be implemented in addition to Regulation VIII requirements):

AQ-51: Limit traffic speeds on unpaved roads to 15 mph; and

AQ-52: Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent (1%).

AQ-53: Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.

AQ-54: Install wind breaks at windward side(s) of construction areas.

AQ-55: Suspend excavation and grading activity when winds exceed 20 mph. Regardless of windspeed, an owner/operator must comply with Regulation VIII’s 20 percent (20%) opacity limitation.

AQ-56: Limit the area subject to excavation, grading and other construction activity at any one time.

Generation of Noise:

N-1: The City has also established a noise ordinance to control noise within the City. The City’s noise ordinance (Modesto Municipal Code Section 4-9.101) prohibits the “loud and raucous discharge into the open air of the steam of any steam equipment or exhaust from any stationary internal combustion engine.”

N-2: Additionally, the noise ordinance prohibits the loud and raucous operation or use of any of the following before 7:00 a.m. or after 9:00 p.m. daily (except Saturday and Sunday and state or federal holidays, when the prohibited time shall be before 9:00 a.m. and after 9:00 p.m.):

A. Hammer, or any other device or implement used to pound or strike an object.

B. An impact wrench, or other tool or equipment powered by compressed air.

C. A hand-powered saw.

D. Any tool or piece of equipment powered by an internal-combustion engine such as, but not limited to, chain saw, backpack blower, and lawn mower.
4. Any electrically powered (whether by alternating current electricity or by direct current electricity) tool or piece of equipment used for cutting, drilling, or shaping wood, plastic, metal, or other materials or objects, such as, but not limited to, a saw, drill, lathe, or router.

5. Any of the following: heavy equipment (such as but not limited to bulldozer, steam shovel, road grader, back hoe), ground drilling and boring equipment (such as but not limited to derrick or dredge), hydraulic crane and boom equipment, portable power generator or pump, pavement equipment (such as but not limited to pneumatic hammer, pavement breaker, tamper, compacting equipment), pile driving equipment, vibrating roller, sand blaster, gunite machine, trencher, concrete truck, and hot kettle pump.

6. Any construction, demolition, excavation, erection, alteration, or repair activity. In the case of urgent necessity and in the interest of public health and safety, the Chief Building Official may issue a permit for exemption from these. Such period shall not exceed three (3) working days in length while the emergency continues but may be renewed for successive periods of three (3) days or less while the emergency continues. The Chief Building Official may limit such permit as to time of use and/or permitted action, depending upon the nature of the emergency and the type of action requested.

N-3: The project shall comply with the City’s noise ordinance. Construction equipment and vehicles should be equipped with properly operating mufflers according to the manufacturers’ recommendations. Air compressors and pneumatic equipment should be equipped with mufflers, and impact tools should be equipped with shrouds or shields. Equipment that is quieter than standard equipment should be utilized. Haul routes that affect the fewest number of people should be selected.

**Effects on Agricultural Lands:**

N/A

**Increased Demand for Long-Term Water Supplies:**

N/A

**Increased Demand for Sanitary Sewer Services:**

N/A

**Loss of Sensitive Wildlife and Plant Habitat:**

SWPH-13: Table V-7-1

j. Burrowing owls are known to occur within the study area. Impacts to burrowing owls and their nest burrows must be avoided in order to comply with the Federal Migratory Bird Treaty Act (MBTA) and Department of Fish and Game (DFG) Code Sections 3503, 3503.5, and 3513. If any ground-disturbing activities occur during the burrowing owl nesting season (approximately February 1 through August 31), implementation of avoidance measures is required. DFG recommends that a preconstruction site survey be conducted no more than 30 days before the onset of any ground-disturbing activities. Further, if preconstruction surveys determine that during the nonbreeding season burrowing owls occupy the site, a passive relocation effort shall be installed.

DFG’s Staff Report on Burrowing Owl Mitigation (California Department of Fish and Game 1995) recommends that impacts to occupied burrows be avoided by implementation of a no-construction buffer zone of a minimum of 250 feet, unless a qualified biologist approved by DFG verifies through noninvasive methods that either: 1) the burrowing owls have not begun egg laying and incubation; or 2) that juveniles from the occupied nest are foraging independently and are capable of independent survival. Failure to implement this buffer zone could cause adult burrowing owls to abandon nests, cause eggs or young to be directly impacted (crushed), and/or result in reproductive failure. The DFG Staff report on Burrowing Owl Mitigation also recommends that a minimum of 6.4 acres of foraging...
habitat per pair or unpaired resident burrowing owl should be acquired and permanently protected to offset the loss of foraging and burrowing habitat.

k. The State-threatened Swainson’s hawk is known to nest within the study area. Due to loss of suitable foraging habitat and existing nesting habitat that may occur during area development, mitigation measures compensating for these potential losses of habitat should be included. DFG’s Staff Report Regarding Mitigation for Impacts to Swainson’s Hawks (California Department of Fish and Game 1994) recommends that for projects that occur within 1 mile of an active nest tree, 1.5 acres of habitat be protected in perpetuity for every acre of Swainson’s hawk foraging habitat affected; for projects that occur within 5 miles of an active nest tree, 0.75 acre of habitat should be protected in perpetuity for every acre of foraging habitat impacted; and for projects within 10 miles of an active nest tree, 0.5 acre of habitat should be protected in perpetuity for every acre of foraging habitat impacted. The project sponsor should provide funding of a sufficient long-term endowment for the management of the protected properties.

The project area contains mature trees that could be used as nesting habitat. DFG considers the removal of known raptor nest trees, even outside of the nesting season, to be a significant impact under CEQA and, in the case of Swainson’s hawk, could also result in “take” under the CESA. This is especially true in species such as Swainson’s hawk, which exhibit high site fidelity to their nest and nest trees year after year (California Department of Fish and Game 1994). To avoid such impacts, surveys for nesting raptors should be conducted following the survey methodology developed by the Swainson’s Hawk Technical Advisory Committee (2000) prior to any disturbance within 5 miles of a potential nest tree. Impacts to known nest trees should be avoided at all times of year. If avoidance of a known nest tree is not feasible, consultation with DFG is warranted prior to taking any action, and a determination of “take” potential under CESA or under Fish and Game Code Sections 3503.5 and 3513 will be made. Project-related “take” (as defined in Section 86 of the Fish and Game Code) of Swainson’s hawk must be completely avoided or a State Incidental Take Permit, pursuant to Section 2081 of the Fish and Game Code, would be warranted.

**Disturbance of Archaeological/Historic Sites:**

N/A

**Increased Demand for Storm Drainage:**

SD-9: Construction activities shall comply with the requirements of the City’s Storm Water Management Plan under its municipal NPDES stormwater permit, and the State Water Resources Control Board’s General Permit for Discharges of Storm Water Associated with Construction Activity.

**Flooding and Water Quality:**

FWQ-13: Construction activities shall comply with the requirements of the City’s Storm Water Management Plan under its municipal NPDES Stormwater permit, and the State Water Resources Control Board’s General Permit for Discharges of Storm Water Associated with Construction Activity.

**Increased Demand for Parks and Open Space:**

N/A

**Increased Demand for Schools:**

N/A
Increased Demand for Police Services:  
N/A  

Increased Demand for Fire Services:  
N/A  

Generation of Solid Waste:  
N/A  

Generation of Hazardous Materials:  
N/A  

Geology, Soils, and Mineral Resources:  
N/A  

Energy:  
N/A  

Effects on Visual Resources:  
N/A  

Land Use and Planning:  
N/A  

Climate Change:  
N/A
MODESTO CITY COUNCIL
RESOLUTION NO. 2015-428

RESOLUTION APPROVING A WATER SALES AGREEMENT WITH DEL PUERTO WATER DISTRICT FOR THE NORTH VALLEY REGIONAL RECYCLED WATER PROGRAM, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT.

WHEREAS, on November 25, 2014, the City Council, by Resolution 2014-491, approved a Joint Powers Agreement (JPA) with the Del Puerto Water District (DPWD) to advance the North Valley Regional Recycled Water Program (NVRRWP), and

WHEREAS, the original JPA Agreement requires the parties to agree on a Term Sheet for completing a Water Sales Agreement (WSA), and

WHEREAS, the Term Sheet, including the terms specified in the WSA, was negotiated and agreed to in April 2015, and

WHEREAS, the City of Modesto must submit the WSA to the State Water Resources Control Board as part of the Clean Water State Revolving Fund (CWSRF) project loan application package, and

WHEREAS, the completed CWSRF loan application must be submitted by December 2, 2015 to be eligible for a 30-year CWSRF loan at a 1% interest rate, and potential grand funding of $15 million, and

WHEREAS, the initial term of the WSA is forty years with an option to renew for an additional forty-year term, and

WHEREAS, this action will advance the NVRRWP to allow CWSRF financing and construction of the pipeline to supply recycled water from Modesto for delivery to DPWD.
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a Water Sales Agreement with Del Puerto Water District for the North Valley Regional Recycled Water Program.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the Agreement in substantially the form attached hereto as Exhibit A and as approved by the City Attorney.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November 2015, by Councilmember Madrigal, who moved its adoption, which motion being duly seconded by Councilmember Lopez, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk
(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2015-429

RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH PACIFIC DESIGN ASSOCIATES, INC. OF MODESTO TO DEVELOP CONSTRUCTION DOCUMENTS FOR KITCHEN REMODELS AT THE SENIOR CITIZENS CENTER AND THE AIRPORT NEIGHBORHOOD COMMUNITY CENTER IN AN AMOUNT NOT TO EXCEED $49,400 FOR THE IDENTIFIED SCOPE OF SERVICES, PLUS $4,940 FOR ADDITIONAL SERVICES (IF NEEDED), FOR A MAXIMUM TOTAL AMOUNT OF $54,340, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, the City of Modesto Senior Citizens Community Center opened in 1968, and

WHEREAS, there has been one major expansion and various minor updates to the facility since then, and

WHEREAS, the Senior Citizens Community Center serves as a hub of activity for Modesto’s older adults, and

WHEREAS, the Senior Citizens Community Center kitchen is utilized three days a week to serve as a congregate meal site for Stanislaus County; senior clubs use the kitchen two days a week and the facility is rented for private events most weekends, and

WHEREAS, in 2012 the City of Modesto developed the Airport Neighborhood Community Center, and

WHEREAS, the Airport Neighborhood Community Center is utilized by the Modesto City Schools and Tuolumne River Trust to provide community and youth programs, and

WHEREAS, the initial development of the Airport Neighborhood Community Center did not include a complete and finished kitchen, and
WHEREAS, the City of Modesto has identified a need to develop construction documents to remodel the Senior Citizens Community Center's kitchen and complete the Airport Neighborhood Community Center kitchen, and

WHEREAS, the City Council, on December 2, 2014, by Resolutions No. 2014-515 and 2014-516, approved an amendment to the FY2014-2015 HUD Annual Action Plan to create these projects as project #100865 (Senior Center Kitchen Upgrade) and project #100868 (Airport Neighborhood Community Center Kitchen Installation).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a Professional Services Agreement with Pacific Design Associates, Inc. of Modesto to develop construction documents for the kitchen remodels at the Senior Citizens Center and the Airport Neighborhood Community Center in an amount not to exceed $49,400 for the identified scope of services, plus $4,940 for additional services (if needed), for a maximum total amount of $54,340, and authorizes the City Manager, or his designee, to execute the agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None
ATTEST: [Signature]
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]
ADAM U. LINDGREN, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2015-430

RESOLUTION AMENDING THE FISCAL YEAR 2015-2016 ANNUAL OPERATING AND CAPITAL IMPROVEMENT BUDGET

WHEREAS, a financial analysis has been completed and it has been determined that a budget adjustment is required to the Annual and Capital Improvement Budget of the City of Modesto for Fiscal Year 2015-2016.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Fiscal Year 2015-2016 Annual Operating and Capital Improvement budget as shown in Exhibit A, which is attached hereto and incorporated by reference herein.

BE IT FURTHER RESOLVED that the Director of Finance, or her designee, is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following votes:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: ____________________________

STEPHANIE LOPEZ, City Clerk
APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
EXHIBIT A

FISCAL YEAR 2015-16

COMMUNITY & ECONOMIC DEVELOPMENT
A budget adjustment is necessary to recognize $118,000 in unbudgeted revenue from the Department of Transportation for Capital Improvement Project #100882, Modesto Junior College Bike Path Phase 2, and reallocate said funds to establish the project's discretionary expense budget.
RESOLUTION AUTHORIZING THE AWARD OF BID FOR THE PURCHASE OF ONE DUMP TRUCK WITH 14-YARD CAPACITY TO INTERSTATE TRUCK CENTER LLC, STOCKTON, CA, AND AUTHORIZING THE PURCHASING MANAGER OR HIS DESIGNEE TO ISSUE THE PURCHASING ORDER FOR AN ESTIMATED TOTAL COST OF $127,284

WHEREAS, the City Manager authorized the Purchasing Manager to issue formal Request for Bids (RFB) for new vehicles and heavy equipment, through various competitive processes, with the Purchasing Division coming back to Council for award authorization, and

WHEREAS, the Purchasing Division issued RFB 1516-12 for the purchase of a non-brand specific dump truck with 14-yard capacity on the City’s website under the commodity code for trucks one-ton or less and specialized bodies. Prospective bidders were noticed online of the bid opportunity. One of which was a local company. Nine (9) companies chose to download the RFB document, and

WHEREAS, bids were formally opened in the City Clerk’s office. Six (6) companies chose to respond. The local vendor did not submit a bid. All six (6) companies provided responsive and responsible bids, and

WHEREAS, based on providing the overall lowest responsive and responsible bid, City staff recommends the award of bid for the purchase of a dump truck with 14-yard capacity to Interstate Truck Center LLC, Stockton, CA, for a total estimated cost of $127,284.

WHEREAS, Modesto Municipal Code (MMC) Section 8-3.203 generally requires all purchases, which meet or exceed $50,000.00 for material, equipment or contractual services to be formally bid. The award of bid for the purchase of one dump truck with
14-yard capacity to Interstate truck Center LLC, Stockton, CA, conforms to the Modesto Municipal Code, 8-3.203.

WHEREAS, sufficient funds are budgeted in Fiscal Year 2015-16, in appropriation unit 1700-53130-57003, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the award of bid for the purchase of one dump truck with 14-yard capacity to Interstate truck Center LLC, Stockton, CA, for an estimated total cost of $127,284;

BE IT FURTHER RESOLVED that the Purchasing Manager or his designee is authorized to issue the purchase order

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)
APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2015-432

RESOLUTION AMENDING THE CLASSIFICATION PLAN FOR THE CITY OF MODESTO TO CREATE THE CLASSIFICATIONS OF WATER SUPERINTENDENT, PLANT MAINTENANCE SUPERINTENDENT, UTILITIES PLANT OPERATOR TRAINEE, UTILITIES PLANT OPERATOR I/II, SENIOR UTILITIES PLANT OPERATOR, UTILITIES SERVICES SUPERVISOR, UTILITIES PLANT OPERATIONS SUPERVISOR, PLANT MECHANIC TRAINEE, PLANT MECHANIC I/II, SENIOR PLANT MECHANIC, PLANT MAINTENANCE SUPERVISOR, ELECTRICAL AND INSTRUMENTATION TECHNICIAN TRAINEE, ELECTRICAL AND INSTRUMENTATION TECHNICIAN, UTILITIES SERVICE WORKER I/II/III, SENIOR UTILITIES SERVICE WORKER, ELECTRICAL SUPERVISOR - UTILITIES, POLICE RANGE AND TRAINING CENTER COORDINATOR, MAINTENANCE PLANNING TECHNICIAN; AND TO DELETE THE CLASSIFICATIONS OF WASTEWATER TREATMENT PLANT OPERATOR I/II/III, SENIOR WASTEWATER TREATMENT PLANT OPERATOR, WATER PRODUCTION OPERATOR I/II, WATER DIVISION CREWLEADER, WATER DISTRIBUTION AND PRODUCTION SUPERVISOR, WATER QUALITY CONTROL TECHNICIAN I/II, WATER QUALITY CONTROL PLANT OPERATIONS SUPERVISOR, INSTRUMENTATION TECHNICIAN, ELECTRICIAN - UTILITIES, WASTEWATER COLLECTIONS SYSTEM OPERATOR I/II, WATER DISTRIBUTION OPERATOR I/II/III, WATER SERVICES EQUIPMENT OPERATOR I/II, WASTEWATER COLLECTIONS SYSTEM CREWLEADER, WASTEWATER COLLECTIONS SYSTEMS SUPERVISOR, WATER QUALITY CONTROL PLANT OPERATIONS SUPERVISOR

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 2015-194 pursuant to Rule 2.2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council amendments to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,
WHEREAS, the Utility Study positions will be effective retroactive to December 2, 2014 for Represented Management and Confidential Non-Sworn positions and effective retroactive to December 16, 2014 for General Non-Sworn positions, and

WHEREAS, all other position changes will be effective upon Council adoption,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 3. EFFECTIVE DATE. This resolution shall become effective on and after November 10, 2015.

The foregoing resolution was introduced in a regular meeting of the Council of the City of Modesto held on the 10th day of November 2015, by Councilmember Cogdill, who moved its adoption, which motion being duly seconded by Councilmember Kenoyer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Zoslocki, Mayor Marsh

NOES: Councilmembers: Madrigal

ABSENT: Councilmembers: Lopez

ATTEST: [Signature]
STEPHANIE LOPEZ, City Clerk
(SEAL)

APPROVED AS TO FORM:

By: [Signature]
ADAM U. LINDGREN, City Attorney
RESOLUTION AMENDING EXHIBIT “A” OF RESOLUTION NO. 2015-195 TO REVISE THE CLASS RANGE TABLE FOR REPRESENTED MANAGEMENT AND CONFIDENTIAL NON-SWORN CLASSES

WHEREAS, the City Council desires to amend Exhibit “A” of Resolution No. 2015-195, which approved the Class Range Table for Represented Management and Confidential Non-Sworn Classes,

WHEREAS, the Utility Study positions will be effective retroactive to December 2, 2014 for Represented Management and Confidential Non-Sworn positions, and

WHEREAS, all other position changes will be effective upon Council adoption,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION I. AMENDMENT TO RESOLUTION NO. 2015-195. Exhibit "A" entitled, "City of Modesto Class Range Table Represented Management and Confidential Non-Sworn Classes," attached to Resolution No. 2015-195, is hereby amended as shown on the amended Exhibit “A” entitled “City of Modesto Class Range Table Represented Management and Confidential Non-Sworn Classes Effective December 2, 2014” and “City of Modesto Class Range Table Represented Management and Confidential Non-Sworn Classes Effective November 10, 2015,” which is attached hereto and made a part hereof as though set forth in full herein. Said Exhibits “A” amends the Class Range Table as follows:

1. Add Utilities Services Supervisor to Salary Range 440
2. Add Plant Maintenance Supervisor to Salary Range 438
3. Add Electrical Supervisor – Utilities to Salary Range 438

Exhibit A
AMENDED on April 12, 2016
By Resolution 2016-1-18
4. Add Utilities Services Supervisor to Salary Range 440
5. Add Utilities Plant Operations Supervisor to Salary Range 440
6. Add Water Superintendent to Salary Range 444
7. Add Plant Maintenance Superintendent to Salary Range 444
8. Add Police Range and Training Center Coordinator to Salary Range 429
9. Add Employee Benefits Coordinator to Salary Range 423
10. Delete Water Quality Control Plant Operations Supervisor from Salary Range 440
11. Delete Water Distribution/Production Supervisor from Salary Range 438
12. Delete Water Quality Control Plant Maintenance Supervisor from Salary Range 432
13. Delete Wastewater Collections System Supervisor from Salary Range 432
14. Delete Wastewater Collections Manager from Salary Range 442
15. Delete Water Quality Control Plant Manager from Salary Range 446
16. Delete Water Systems Manager from Salary Range 447
17. Delete Employee Benefits Coordinator from Salary Range 422

SECTION II. EFFECTIVE DATE. This resolution shall become effective on and after November 10, 2015.

The foregoing resolution was introduced in a regular meeting of the Council of the City of Modesto held on the 10th day of November 2015, by Councilmember Cogdill, who moved its adoption, which motion being duly seconded by Councilmember Kenoyser, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyser, Zoslocki, Mayor Marsh
NOES: Councilmembers: Madrigal

ABSENT: Councilmembers: Lopez

ATTEST: [Signature]
STÉPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]
ADAM U. LINDGREN, City Attorney
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>407</td>
<td>Administrative Office Assistant II (Confidential)</td>
</tr>
<tr>
<td>411</td>
<td>Administrative Office Assistant III (Confidential)</td>
</tr>
<tr>
<td>412</td>
<td>Police Clerk II (Confidential)</td>
</tr>
</tbody>
</table>
| 415   | Legal Secretary I  
|       | Senior Administrative Office Assistant (Confidential) |
| 418   | Account Technician (Confidential)  
|       | Administrative Services Technician I (Confidential)  
|       | Systems Technician I |
| 419   | Legal Secretary II |
| 420   | Executive Assistant  
|       | Workers' Compensation Claims Assistant |
| 421   | Deputy City Clerk  
|       | Senior Legal Secretary |
| 422   | Administrative Services Technician II (Confidential)  
|       | Modesto Regional Fire Authority Information Technology Technician  
|       | Office Supervisor  
|       | Systems Technician II  
|       | Employee Benefits Coordinator |
| 423   | Custodian Supervisor  
|       | Workers' Compensation Claims Examiner I  
|       | Employee Benefits Coordinator |
| 424   | Buyer |
| 425   | Parking Services Supervisor |
| 426   | Central Stores Supervisor  
|       | Financial Analyst I  
<p>|       | Senior Systems Technician |</p>
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
</table>
| 427   | Assistant Planner  
       | Administrative Analyst I  
       | Parking Adjudication Program Coordinator  
       | Technology Solutions Analyst I  
       | Utility Dispatch Supervisor |
| 428   | Animal Control Supervisor  
       | Human Resources Analyst I  
       | Workers' Compensation Claims Examiner II |
| 429   | Assistant City Clerk  
       | Police Civilian Supervisor |
| 430   | Financial Analyst II  
       | Senior Buyer  
       | Software Analyst I  
       | Systems Engineer I |
| 431   | Administrative Analyst II  
       | Associate Planner  
       | Events Coordinator  
       | Technology Solutions Analyst II |
| 432   | Compost Facility Supervisor  
       | Human Resources Analyst II  
       | Junior Engineer  
       | Neighborhood Preservation Supervisor  
       | Operations Supervisor  
       | Senior Workers' Compensation Claims Examiner |
| 433   | Water Resources Analyst  
       | Parks Project Coordinator  
       | Recreation Supervisor |
| 434   | Customer Services Supervisor  
       | Financial Analyst III  
       | Recycling Program Coordinator  
       | Senior Crime and Intelligence Analyst  
       | Software Analyst II  
<pre><code>   | Systems Engineer II |
</code></pre>
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
</table>
| 435   | Assistant Transportation Planner  
Business Analyst  
Cultural Services Program Manager  
Emergency Medical Services Coordinator  
Management Analyst  
Organizational Development Coordinator  
Transit Analyst  
Weed and Seed Program Coordinator |
| 436   | Assistant Engineer  
Electrical Supervisor  
Housing Rehabilitation Supervisor  
Senior Community Development Program Specialist |
| 437   | Senior Planner |
| 438   | Associate Land Surveyor  
Deputy Fire Marshal  
**Electrical Supervisor - Utilities**  
Environmental Services Supervisor  
Integrated Waste Specialist  
Laboratory Supervisor  
Modesto Regional Fire Authority Finance Manager  
Materials Management Superintendent/City Arborist  
**Plant Maintenance Supervisor**  
Property Agent  
Public Information Coordinator  
Public Safety Business Services Analyst  
Risk and Loss Control Coordinator  
Senior Financial Analyst  
Senior Human Resources Analyst  
Senior Software Analyst  
Senior Systems Engineer |
| 439   | Administrative Services Officer  
Associate Transportation Planner  
Senior Business Analyst |
| 440   | Associate Engineer  
**Utilities Services Supervisor**  
**Utilities Plant Operations Supervisor** |
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
</table>

City of Modesto
Class Range Table – Management and Confidential Non-Sworn Classes
Page -4
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
</table>
| 441   | Housing and Urban Development Manager  
|       | Infrastructure Financing Program Administrator  
|       | Parks Planning and Development Manager  
|       | Recreation Program Manager  
|       | Police Civilian Manager |
| 442   | Centre Plaza Manager  
|       | Construction Inspection Supervisor  
|       | Customer Services Manager  
|       | Environmental Regulatory Compliance Manager  
|       | Principal Information Technology Administrator  
|       | Purchasing Manager |
| 443   | Associate Civil/Traffic Engineer  
|       | Senior Transportation Planner  
|       | Streets Manager |
| 444   | Building Inspection Program Coordinator  
|       | Building Inspection Supervisor |
| 445   | Airport Manager  
|       | Fleet Manager  
|       | Principal Planner |
| 446   | Accounting Manager |
| 447   | Information Technology Manager  
|       | Traffic Operations Engineer  
|       | Water Systems Manager  
|       | Wastewater Collections Manager  
|       | Water Quality Control Plant Manager |
| 448   | Assistant Chief Building Official  
|       | Operations Manager  
|       | Recreation and Neighborhoods Services Manager  
|       | Transit Manager  
<p>|       | Solid Waste Program Manager |</p>
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
</table>
| 450   | Business Center Manager  
       Planning Manager  
       Senior Civil Engineer |
| 452   | Chief Building Official  
       Parks Recreation & Neighborhoods Operations Manager  
       Traffic Engineer |
| 455   | City Engineer  
       Engineering Division Manager |
RESOLUTION AMENDING EXHIBIT “A” OF RESOLUTION NO. 2015-196 TO REVISE THE CLASS RANGE TABLE FOR GENERAL NON-SWORN CLASSES

WHEREAS, the City Council desires to amend Exhibit “A” of Resolution No. 2015-196, which approved the Class Range Table for General Non-Sworn Classes,

WHEREAS, the Utility Study positions will be effective retroactive to December 16, 2014 for General Non-Sworn positions, and

WHEREAS, all other position changes will be effective upon Council adoption,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION I. AMENDMENT TO RESOLUTION NO. 2015-196. Exhibit "A" entitled, "City of Modesto Class Range Table General Non-Sworn Classes," attached to Resolution No. 2015-196, is hereby amended as shown on the amended Exhibit “A” entitled “City of Modesto Class Range Table General Non-Sworn Classes effective December 16, 2014,” and “City of Modesto Class Range Table General Non-Sworn Classes effective November 10, 2015,” which is attached hereto and made a part hereof as though set forth in full herein. Said Exhibits “A” amends the Class Range Table as follows:

1. Add Plant Mechanic Trainee at Salary Range 115
2. Add Electrical and Instrumentation Technician Trainee at Salary Range 116
3. Add Utilities Services Worker I at Salary Range 120
4. Add Utilities Plant Operator Trainee at Salary Range 121
5. Add Plant Mechanic I at Salary Range 123
6. Add Utilities Service Worker II at Salary Range 124
7. Add Plant Mechanic II at Salary Range 125
8. Add Utilities Plant Operator I at Salary Range 125
9. Add Electrical and Instrumentation Technician at Salary Range 128
10. Add Utilities Plant Operator II at Salary Range 128
11. Add Utilities Service Worker III at Salary Range 128
12. Add Senior Plant Mechanic at Salary Range 129
13. Add Senior Utilities Plant Operator at Salary Range 132
14. Add Senior Utilities Services Worker at Salary Range 132
15. Add Maintenance Planning Technician at Salary Range 128
16. Delete Wastewater Treatment Plant Operator I at Salary Range
17. Delete Wastewater Treatment Plant Operator II at Salary Range
18. Delete Wastewater Treatment Plant Operator III at Salary Range
19. Delete Senior Wastewater Treatment Plant Operator at Salary Range
20. Delete Water Production Operator I at Salary Range
21. Delete Water Production Operator II at Salary Range
22. Delete Water Division Crewleader at Salary Range
23. Delete Instrumentation Technician at Salary Range
24. Delete Electrician-Utilities at Salary Range
25. Delete Wastewater Collection System Operator I at Salary Range
26. Delete Wastewater Collection System Operator II at Salary Range
27. Delete Water Distribution Operator I at Salary Range
28. Delete Water Distribution Operator II at Salary Range
29. Delete Water Distribution Operator III at Salary Range
30. Delete Water Services Equipment Operator I at Salary Range
31. Delete Water Services Equipment Operator II at Salary Range
32. Delete Wastewater Collection System Crewleader at Salary Range

SECTION II. EFFECTIVE DATE. This resolution shall become effective on
and after November 10, 2015.

The foregoing resolution was introduced in a regular meeting of the Council of
the City of Modesto held on the 10th day of November 2015, by Councilmember Cogdill,
who moved its adoption, which motion being duly seconded by Councilmember
Kenoyer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Zoslocki, Mayor
Marsh

NOES: Councilmembers: Madrigal

ABSENT: Councilmembers: Lopez

ATTEST: 

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
</table>
| 103   | Administrative Office Assistant I  
       | Custodian I |
| 106   | Engineering Intern |
| 107   | Administrative Office Assistant II  
       | Custodian II  
       | Exhibits Coordinator |
| 109   | Account Clerk I  
       | Customer Services Account Clerk I |
| 111   | Account Clerk II  
       | Administrative Office Assistant III  
       | Custodian Crewleader  
       | Customer Services Account Clerk II |
| 112   | Maintenance Worker I |
| 114   | Electrician Assistant I  
       | Equipment Service Technician  
       | Production Technician  
       | Storeskeeper |
| 115   | Plant Mechanic Trainee  
       | Senior Customer Services Account Clerk  
       | Senior Customer Services Account Clerk |
| 116   | Electrical and Instrumentation Technician Trainee  
       | Maintenance Worker II |
| 117   | Airport Maintenance Worker  
       | Groundskeeper |
| 118   | Account Technician  
       | Administrative Services Technician I  
       | Electrician Assistant II  
       | Fleet Procurement Technician  
       | Senior Storeskeeper  
       | Tree Trimmer |
| 119   | Code Enforcement Officer I -Neighborhood Preservation Unit  
       | Customer Services Account Technician  
<pre><code>   | Equipment Operator |
</code></pre>
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
</table>
| 120   | Assistant Buyer  
Environmental Compliance Technician  
Laboratory Analyst I  
Parks Maintenance Crewleader  
Recreation Coordinator  
Parking Services Crewleader  
**Utilities Services Worker I** |
| 121   | Building Maintenance Technician  
Parks Maintenance Mechanic  
**Utilities Plant Operator Trainee**  
Water Resource Specialist |
| 122   | Accountant I  
Administrative Services Technician II  
Electrician Assistant III  
Solid Waste Enforcement Officer  
Traffic Operations Technician  
Tree Trimmer Crewleader |
| 123   | Code Enforcement Officer II -Neighborhood Preservation Unit  
Development Services Technician I  
Engineering Assistant Trainee  
Equipment Mechanic  
**Plant Mechanic I**  
Senior Equipment Operator  
Welder/Fabricator |
| 124   | Community Development Program Specialist I  
Cross Connection Specialist  
Environmental Compliance Inspector I  
Fire Equipment Mechanic  
Heavy Equipment Mechanic  
Laboratory Analyst II  
**Utilities Services Worker II**  
Water Conservation Specialist  
Water Meter Technician |
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
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</thead>
</table>
| 125   | Airport Maintenance Crewleader  
Development Services Technician II  
Head Groundskeeper  
**Plant Mechanic II**  
**Utilities Plant Operator I** |
| 126   | Building Maintenance Specialist  
Housing Financial Specialist  
Housing Rehabilitation Specialist I  
Traffic Striping Crewleader |
| 127   | Engineering Assistant I  
Equipment Mechanic Crewleader  
Operations Crewleader |
| 128   | Building Inspector I  
Community Development Program Specialist II  
**Electrical and Instrumentation Technician**  
Electrician - Traffic and Buildings  
Environmental Compliance Inspector II  
Heavy Equipment Mechanic Crewleader  
Senior Fire Equipment Mechanic  
**Utilities Plant Operator II**  
**Utilities Services Worker III** |
| 129   | **Senior Plant Mechanic** |
| 130   | Construction Inspector  
Housing Rehabilitation Specialist II  
Laboratory Analyst III |
| 131   | Engineering Assistant II |
| 132   | Building Inspector II  
Environmental Review Specialist  
Senior Environmental Compliance Inspector  
**Senior Utilities Plant Operator**  
**Senior Utilities Services Worker** |
<p>| 133   | Assistant Land Surveyor |</p>
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>134</td>
<td>Plans Examiner</td>
</tr>
<tr>
<td></td>
<td>Senior Construction Inspector</td>
</tr>
<tr>
<td>135</td>
<td>Engineering Project Coordinator</td>
</tr>
<tr>
<td>136</td>
<td>Senior Building Inspector</td>
</tr>
<tr>
<td>RANGE</td>
<td>TITLE</td>
</tr>
<tr>
<td>-------</td>
<td>-------</td>
</tr>
</tbody>
</table>
| 103   | Administrative Office Assistant I  
|       | Custodian I |
| 106   | Engineering Intern |
| 107   | Administrative Office Assistant II  
|       | Custodian II  
|       | Exhibits Coordinator |
| 109   | Account Clerk I  
|       | Customer Services Account Clerk I |
| 111   | Account Clerk II  
|       | Administrative Office Assistant III  
|       | Custodian Crewleader  
|       | Customer Services Account Clerk II |
| 112   | Maintenance Worker I |
| 114   | Electrician Assistant I  
|       | Equipment Service Technician  
|       | Production Technician  
|       | Storeskeeper |
| 115   | Senior Administrative Office Assistant  
|       | Senior Customer Services Account Clerk |
| 116   | Maintenance Worker II  
|       | Wastewater Collection Systems Operator I  
|       | Water Distribution Operator I |
| 117   | Airport Maintenance Worker  
|       | Groundskeeper |
| 118   | Account Technician  
|       | Administrative Services Technician I  
|       | Electrician Assistant II  
|       | Fleet Procurement Technician  
|       | Senior Storeskeeper  
|       | Tree Trimmer  
<p>|       | Water Distribution Operator II |
| 119   | Code Enforcement Officer I -Neighborhood Preservation Unit |</p>
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
</table>
| 120   | Customer Services Account Technician  
       | Equipment Operator  
       | Assistant Buyer  
       | Environmental Compliance Technician  
       | Laboratory Analyst I  
       | Parks Maintenance Crewleader  
       | Recreation Coordinator  
       | Wastewater Collection System Operator II  
       | Parking Services Crewleader |
| 121   | Building Maintenance Technician  
       | Parks Maintenance Mechanic  
       | Water Resource Specialist  
       | Wastewater Treatment Plant Operator I  
       | Water Quality Control Technician I  
       | Accountant I  
       | Administrative Services Technician II  
       | Electrician Assistant III  
       | Solid Waste Enforcement Officer  
       | Traffic Operations Technician  
       | Tree Trimmer Crewleader |
| 122   | Code Enforcement Officer II -Neighborhood Preservation Unit  
       | Development Services Technician I  
       | Engineering Assistant Trainee  
       | Equipment Mechanic  
       | Senior Equipment Operator  
       | Welder/Fabricator |
| 123   | Community Development Program Specialist I  
       | Cross Connection Specialist  
       | Environmental Compliance Inspector I  
       | Fire Equipment Mechanic  
       | Heavy Equipment Mechanic  
       | Laboratory Analyst II  
       | Water Conservation Specialist  
       | Water Distribution Operator III  
       | Water Meter Technician  
       | Water Production Operator I  
<pre><code>   | Water Services Equipment Operator I |
</code></pre>
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
</table>
| 125   | Airport Maintenance Crewleader  
       | Development Services Technician II  
       | Head Groundskeeper  
       | Wastewater Treatment Plant Operator II  
       | Water Quality Control Technician II |
| 126   | Building Maintenance Specialist  
       | Housing Financial Specialist  
       | Housing Rehabilitation Specialist I  
       | Traffic Striping Crewleader  
       | Wastewater Collection System Crewleader |
| 127   | Engineering Assistant I  
       | Equipment Mechanic Crewleader  
       | Operations Crewleader  
       | Wastewater Treatment Plant Operator III |
| 128   | Building Inspector I  
       | Community Development Program Specialist II  
       | Electrician - Traffic and Buildings  
       | Electrician - Utilities  
       | Environmental Compliance Inspector II  
       | Heavy Equipment Mechanic Crewleader  
       | Instrumentation Technician  
       | Senior Fire Equipment Mechanic  
       | Water Production Operator II  
       | Water Services Equipment Operator II  
       | **Maintenance Planning Technician** |
| 130   | Construction Inspector  
       | Housing Rehabilitation Specialist II  
       | Laboratory Analyst III |
| 131   | Engineering Assistant II  
       | Senior Wastewater Treatment Plant Operator |
| 132   | Building Inspector II  
       | Environmental Review Specialist  
       | Senior Environmental Compliance Inspector  
<pre><code>   | Water Division Crewleader |
</code></pre>
<p>| 133   | Assistant Land Surveyor |</p>
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>134</td>
<td>Plans Examiner&lt;br&gt;Senior Construction Inspector</td>
</tr>
<tr>
<td>135</td>
<td>Engineering Project Coordinator</td>
</tr>
<tr>
<td>136</td>
<td>Senior Building Inspector</td>
</tr>
</tbody>
</table>
RESOLUTION AMENDING THE POSITION ALLOCATION AND THE FISCAL YEAR 2015-16 OPERATING BUDGET FOR VARIOUS DEPARTMENTS

WHEREAS, a Position Allocation for the City of Modesto was adopted by Modesto City Council on June 9, 2015, as part of the Annual Budget of the City of Modesto for Fiscal Year 2015-2016, and

WHEREAS, classification studies are conducted to insure that a classification system is equitable and consistent within an organization and that positions are correctly classified, and

WHEREAS, per Personnel Administrative Order 2.2-87-12, a classification study may be conducted in response to a reclassification request, to develop/revise a classification specification, or to assist in a reorganization, and

WHEREAS, multiple classification studies were conducted by Human Resources to determine appropriate classification, and

WHEREAS, the Utility Study positions will be effective retroactive to December 2, 2014 for Represented Management and Confidential Non-Sworn positions and effective retroactive to December 16, 2014 for General Non-Sworn positions, and

WHEREAS, all other position changes will be effective upon Council adoption,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Position Allocation and the Fiscal Year 2015-16 Operating Budget for various departments as follows:
1. Reallocate one (1) Administrative Analyst II to one (1) Community Development Program Specialist II in the Housing Urban Development Division of the Community & Economic Development.

2. Allocate one (1) Housing Financial Specialist in the Housing Urban Development Division of the Community & Economic Development.

3. Reallocate one (1) Senior Administrative Office Assistant to one (1) Senior Administrative Office Assistant (Confidential) in the Administration Division of the Community and Economic Development Department.

4. Allocate two (2) Senior Systems Engineers in the Network/Data Center Division of the Information Technology Department.

5. Allocate one (1) Senior Systems Technician in the Network/Data Center Division of the Information Technology Department.

6. Allocate one (1) Police Range and Training Center Coordinator in the Tactical Training Center Division in the Police Department.

7. Allocate one (1) Plant Maintenance Supervisor and delete one (1) Water Quality Control Plant Maintenance Supervisor in the Jennings Plant Maintenance Division in the Utilities Department.

8. Allocate five (5) Plant Mechanic IIs and delete five (5) Water Quality Control Technician IIs in the Jennings Plant Maintenance Division in the Utilities Department.

9. Allocate one (1) Utility Services Worker III and delete one (1) Senior Equipment Operator in the Jennings Plant Maintenance Division in the Utilities Department.
10. Allocate one (1) Utility Services Worker I and delete one (1) Equipment Operator in the Jennings Plant Maintenance Division in the Utilities Department.

11. Allocate two (2) Utilities Services Supervisors and delete two (2) Wastewater Collection System Supervisors in the Sewer Collections Division in the Utilities Department.

12. Allocate two (2) Senior Utility Services Workers and delete two (2) Wastewater Collection System Crewleaders in the Sewer Collections Division in the Utilities Department.

13. Allocate three (3) Utility Services Worker IIIs and delete three (3) Senior Equipment Operators in the Sewer Collections Division in the Utilities Department.

14. Allocate thirty-four (34) Utility Services Worker IIIs and delete thirty-four (34) Wastewater Collection System Operator IIIs in the Sewer Collections Division in the Utilities Department.

15. Allocate one (1) Utility Services Worker I and delete one (1) Wastewater Collection System Operator I in the Sewer Collections Division in the Utilities Department.

16. Allocate one (1) Senior Utility Services Worker and delete one (1) Wastewater Collections System Crewleader in the Sewer Lift Stations Division in the Utilities Department.

17. Allocate five (5) Plant Mechanic IIIs and delete five (5) Water Quality Control Technician IIIs in the Sewer Lift Stations Division in the Utilities Department.
18. Allocate one (1) Utilities Services Supervisor and delete one (1) Wastewater Collections System Supervisor in the Stormwater Collections Division in the Utilities Department.

19. Allocate one (1) Senior Utility Service Worker and delete one (1) Wastewater Collections System Crewleader in the Stormwater Collections Division in the Utilities Department.

20. Allocate one (1) Plant Mechanic II and delete one (1) Water Quality Control Technician II in the Stormwater Lift Stations Division in the Utilities Department.

21. Allocate one (1) Plant Maintenance Supervisor and delete one (1) Water Quality Control Plant Maintenance Supervisor in the Sutter Plant Maintenance Division in the Utilities Department.

22. Allocate four (4) Plant Mechanic IIs and delete four (4) Water Quality Control Technician IIs in the Sutter Plant Maintenance Division in the Utilities Department.

23. Allocate two (2) Electrical and Instrumentation Technicians and delete one (1) Electrician Utilities and delete one (1) Instrumentation Technician in the Tertiary Treatment Division in the Utilities Department.

24. Allocate four (4) Utilities Plant Operator IIs and delete four (4) Wastewater Treatment Plant Operator IIIIs in the Tertiary Treatment Division in the Utilities Department.

25. Allocate four (4) Plant Mechanic IIs and delete four (4) Water Quality Control Technician IIs in the Tertiary Treatment Division in the Utilities Department.
26. Allocate one (1) Wastewater Collection Systems Manager and delete one (1) Wastewater Collection Manager in the Wastewater Collections Administration Division in the Utilities Department.

27. Allocate one (1) Electrical Supervisor – Utilities and delete one (1) Electrical Supervisor in the Wastewater Electrical Services Division in the Utilities Department.

28. Allocate six (6) Electrical and Instrumentation Technicians and delete two (2) Instrumentation Technicians and delete four (4) Electrician – Utilities in the Wastewater Electrical Services Division in the Utilities Department.

29. Allocate one (1) Plant Maintenance Superintendent in the Wastewater Operations Administration Division in the Utilities Department.

30. Allocate one (1) Maintenance Planning Technician in the Wastewater Operations Administration Division in the Utilities Department.

31. Allocate two (2) Utilities Plant Operations Supervisors and delete two (2) Water Quality Control Operations Supervisors in the Wastewater Plant Operations Division in the Utilities Department.

32. Allocate seven (7) Senior Utilities Plant Operators and delete seven (7) Senior Wastewater Treatment Plant Operators in the Wastewater Plant Operations Division in the Utilities Department.

33. Allocate ten (10) Utilities Plant Operator IIs and delete ten (10) Wastewater Treatment Plant Operator IIs in the Wastewater Plant Operations Division in the Utilities Department.
34. Allocate one (1) Utilities Services Supervisor and delete one (1) Water Distribution and Production Supervisor in the Water Construction Division in the Utilities Department.

35. Allocate two (2) Senior Utilities Services Workers and delete two (2) Water Division Crewleaders in the Water Construction Division in the Utilities Department.

36. Allocate seventeen (17) Utility Services Worker IIIIs and delete four (4) Water Services Equipment Operator IIIIs and delete thirteen (13) Water Distribution Operator IIIIs in the Water Construction Division in the Utilities Department.

37. Allocate one (1) Utilities Services Supervisor and delete one (1) Water Distribution and Production Supervisor in the Water Service and Meters Division in the Utilities Department.

38. Allocate one (1) Senior Utilities Services Workers and delete one (1) Water Division Crewleader in Water Service and Meters Division in the Utilities Department.

39. Allocate fifteen (15) Utility Services Worker IIIIs and delete fifteen (15) Water Distribution Operator IIIIs in the Water Service and Meters Division in the Utilities Department.

40. Allocate one (1) Water Superintendent in the Water Services Administration Division in the Utilities Department.

41. Allocate one (1) Utilities Services Supervisor and delete one (1) Water Distribution and Production Supervisor in the Water System Maintenance Division in the Utilities Department.
42. Allocate two (2) Senior Utilities Services Workers and delete two (2) Water
   Division Crewleaders in the Water System Maintenance Division in the
   Utilities Department.

43. Allocate nineteen (19) Utility Services Worker IIIs and delete two (2) Water
   Services Equipment Operator IIIs and delete seventeen (17) Water Distribution
   Operator IIIs in the Water System Maintenance Division in the Utilities
   Department.

44. Allocate two (2) Utilities Plant Operations Supervisors and delete two (2)
   Water Distribution and Production Supervisors in the Water Wells and Tanks
   Division in the Utilities Department.

45. Allocate four (4) Senior Utilities Plant Operators and delete four (4) Water
   Division Crewleaders in the Water Wells and Tanks Division in the Utilities
   Department.

46. Allocate two (2) Electrical and Instrumentation Technicians and delete one (1)
   Electrician – Utilities and delete one (1) Instrumentation Technician in the
   Water Wells and Tanks Division in the Utilities Department.

47. Allocate thirteen (13) Utilities Plant Operator IIIs and delete thirteen (13)
   Water Production Operator IIIs in the Water Wells and Tanks Division in the
   Utilities Department.

The foregoing resolution was adopted at a regular meeting of the Council of the City of Modesto held on the 10th day of November 2015, by Councilmember Cogdill, who moved its adoption, which motion being duly seconded by Councilmember Kenoyer, was upon roll call carried and the resolution adopted by the following vote:
AYES:  Councilmembers:  Cogdill, Gunderson, Kenoyer, Zoslocki, Mayor Marsh

NOES:  Councilmembers:  Madrigal

ABSENT:  Councilmembers:  Lopez

(SEAL)

ATTEST:  

STEPHANIE LOPEZ, City Clerk

APPROVED AS TO FORM:

By:  

ADAM U. LINDGRÉN, City Attorney
Letter of Agreement between the City of Modesto and

Modesto City Employees Association

This letter of Agreement (LOA) has been jointly prepared by the designated representatives of the City of Modesto (City) and the designated representatives of the Modesto City Employees Association (MCEA) to memorialize a one-time only, non-precedent setting agreement regarding retroactive implementation of 2014 Utilities reclassification and the cash out of Compensatory Time Off (CTO).

The parties agree that:

1. The 2014 Utilities reclassification will be retroactive to pay period beginning December 16, 2014 and will be processed pay period ending November 30, 2015.

2. MCEA members, who are affected by Utilities study reclassifications that would typically trigger cash out of CTO leave, will be allowed to carry that leave on the books through December 28, 2015.

3. The cash out of CTO for such employees’ shall occur in the pay period ending January 11, 2016. Employees CTO balance as of December 15, 2014 (prior to reclassification) will be captured. Anytime used or cashed out between December 16, 2014 through December 28, 2015 will be tracked on a First In, First Out (FIFO) basis from the captured balance from December 15, 2014. Any remaining CTO leave from the captured balance from December 16, 2014 after applying FIFO will be cashed out at the employee’s former pay rate prior to their reclassification.

4. Employees who voluntarily cash out CTO leave between December 1, 2015 through December 28, 2015 will be cashed out at the employee’s former pay rate prior to their reclassification based on the FIFO balance.

5. The parties agree that the delay of CTO cash-in is a one-time only, and is non-precedent setting.

DATE: 10/27/2015 | 6:32 AM PT

For the MCEA: [Signature]

For the City: [Signature]

DATE: 10/27/2016

For the MCEA: [Signature]

For the City: [Signature]
RESOLUTION APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO CITY EMPLOYEES ASSOCIATION (MCEA) REGARDING THE EFFECTS OF THE IMPLEMENTATION OF 2014 UTILITIES RECLASSIFICATION ON THE CASH OUT OF COMPENSATORY TIME OFF; AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO TAKE THE NECESSARY ADMINISTRATIVE ACTION TO IMPLEMENT THE AGREEMENT

WHEREAS, in May 2014, the City decided to pursue a classification study for the Utilities Department based on response to reclassification requests and Moss-Adams’ recommendation, and

WHEREAS, representatives of the CITY and the MCEA have met and conferred in good faith concerning the effects of the reclassification, and

WHEREAS, MCEA desired a one-time only non-precedent setting to not cash out CTO upon reclassification until December 28, 2015, and

WHEREAS the CITY and MCEA have reached agreement for this one time process through a Letter of Agreement (LOA) which, upon execution, shall be attached hereto and made a part hereof, and

WHEREAS, the Council considered this matter at its meeting of November 10, 2015,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council hereby approves the letter of agreement between the City of Modesto and the Modesto City Employees Association (MCEA), and upon execution of same, a copy of the LOA will be on file in the office of the City Clerk.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the City Manager or designee is hereby authorized to execute the agreement.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November 2015, by Councilmember Cogdill, who moved its adoption, which motion being duly seconded by Councilmember Kenoyer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Zoslocki, Mayor Marsh

NOES: Councilmembers: Madrigal

ABSENT: Councilmembers: Lopez

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney

ATTEST: STEPHANIE LOPEZ, City Clerk
RESOLUTION APPROVING AN AGREEMENT WITH WEST YOST ASSOCIATES, INC. FOR CONSULTANT SERVICES FOR DEVELOPMENT OF THE 2015 URBAN WATER MANAGEMENT PLAN, IN AN AMOUNT NOT TO EXCEED $144,200 FOR THE IDENTIFIED SCOPE OF SERVICES, PLUS $14,420 FOR ADDITIONAL SERVICES (IF NEEDED), FOR A MAXIMUM TOTAL AMOUNT OF $158,620, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT.

WHEREAS, the Urban Water Management Planning Act of the California Water Code requires municipal water suppliers providing drinking water to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually, to prepare and adopt an Urban Water Management Plan (UWMP) every five years, and

WHEREAS, this plan is required to define the City’s current and future water demand, types of uses, supply sources, supply reliability, and existing conservation measures, and

WHEREAS, the UWMP must be filed with the Department of Water Resources (DWR) by July 1, 2016, and

WHEREAS, the City has previously filed Urban Water Management Plans every five years since 1985, and

WHEREAS, this UWMP update will address recently approved state UWMP Guideline requirements as well as the state legislated 20% per-capita water use reduction by 2020 requirement enacted in November 2009, and

WHEREAS, in addition to meeting all of the state’s legislative requirements, the UWMP will serve as a foundational document supporting water supply assessments, local and regional planning efforts, and the City’s General Plan updates, and
WHEREAS, the UWMP will also ensure the appropriate level of reliability in water service sufficient to meet the needs of customers during normal, dry, and multiple dry years (drought), and

WHEREAS, the City and Modesto Irrigation District (MID) are jointly coordinating preparation of the UWMP, and

WHEREAS, the DWR requires each agency to prepare an UWMP due to differing water management objectives, and

WHEREAS, as with previous UWMP updates, the DWR allows the City and MID to prepare a joint document where the City prepares its UWMP from the water supplier’s perspective while MID prepares its portion of the UWMP from the water wholesaler’s perspective, and

WHEREAS, the state finalized the 2015 UWMP Guidelines in September 2015, and

WHEREAS, Due to the schedule deadline to submit the UWMP by July 1, 2016, the requirements for developing the UWMP, and staff’s commitments on other large projects, using outside consultant services is the most efficient means to complete this project, and

WHEREAS, in accordance with Administrative Directive 3.1, Selection Procedures for Professional Consultants Who Provide Architectural and Engineering Services for Capital Projects, City staff issued a Request for Proposals to local and non-local consulting firms and two (2) non-local firms responded with submitted proposals, and
WHEREAS, the Selection Committee consisting of Utilities Department staff evaluated the proposals and determined that West Yost Associates, Inc. (West Yost), to be the most qualified to prepare the 2015 UWMP for the City and MID and to update the City’s Water Conservation Plan. West Yost’s final negotiated cost is $144,200, and

WHEREAS, there are no subconsultants on this project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an Agreement with West Yost Associates, Inc. for consultant services for development of the 2015 Urban Water Management Plan, in an amount not to exceed $144,200 for the identified scope of services, plus $14,420 for additional services (if needed), for a maximum total amount of $158,620.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the Agreement.
The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 10th day of November 2015, by Councilmember Lopez,
who moved its adoption, which motion being duly seconded by Councilmember
Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal,
Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

(STEPHANIE LOPEZ, City Clerk)

(SEAL)

APPROVED AS TO FORM:

By: 

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT WITH G & K ENTERPRISES, LLC FOR CITY-OWNED REAL PROPERTY LOCATED AT 931 TENTH STREET (APN 105-041-006), IN THE AMOUNT OF $15,500 AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT AND ALL NECESSARY DOCUMENTS

WHEREAS, the City of Modesto owns real property on 931 10th Street in downtown Modesto (APN 105-041-006), and

WHEREAS, the Council of the City of Modesto declared this property as surplus and authorized its sale by Resolution No. 2015-302, and

WHEREAS, this property, purchased by the City in 1968 is no longer used by the City and there are no other uses for this property by the City, and

WHEREAS, this property located at 931 10th Street (APN 105-041-006) has been appraised at $15,500, and

WHEREAS, an adjacent property owner desires to purchase this property for the appraised value, and

WHEREAS, this property, due to its small size and being below the minimum lot size for the area’s zoning, does not fall within the scope of the Surplus Land Act, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the City Manager, or his designee, to execute the Purchase and Sale Agreement, the Grant Deed, and all necessary sale documents required for the sale of the surplus real property (APN 105-041-006) and all related documents required to close escrow.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November, 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: \[Signature\]

SEAL

APPROVED AS TO FORM:

By: \[Signature\]

ADAM U. LINDGREN, City Attorney
RESOLUTION AMENDING THE FISCAL YEAR 2015-2016 CAPITAL IMPROVEMENT PROGRAM BUDGET IN THE AMOUNT OF $2,235,400 TO BE TRANSFERRED INTO THE PROJECT FROM WASTEWATER FUND RESERVES IN ORDER TO FULLY FUND THE CONSTRUCTION, CONTINGENCY, CONSTRUCTION ADMINISTRATION, AND DESIGN SUPPORT DURING CONSTRUCTION FOR CANNERY SEGREGATION PUMP REPLACEMENT PROJECT

WHEREAS, certain budgetary transactions are necessary in the amount of $2,235,400, in order to fund construction, contingency, construction administration, City construction forces, design support during construction, including engineering/design/administration support by City staff, for the Cannery Segregation Pump Replacement Project, and

WHEREAS, the Fiscal Year 2015-2016 Capital Improvement Program Budget must be amended as shown in Exhibit A, which is incorporated by reference herein,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the amendment of the Fiscal Year 2015-2016 Capital Improvement Program Budget as shown in Exhibit A.

BE IT FURTHER RESOLVED that the Director of Finance, or her designee, is hereby authorized to implement the provisions of this resolution.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of November 2015, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal, Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
Exhibit A

Due to construction costs being higher than initially budgeted for the project, line item increases are necessary for CIP Account #100764 “Can Seg Pump Replacement”, and the total project costs need to be increased by $2,235,400. This would be done by adjusting Construction by $1,796,820, Construction Administration by $223,860, Contingency-CIP by $171,400, and Engineering/Design/Administration by $43,320.

To fund the above account, $2,235,400 will be transferred from Wastewater Fund Reserves into CIP Project 100764 for the Cannery Segregation Pump Replacement Project.
RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE CANNERY SEGREGATION PUMP REPLACEMENT PROJECT, ACCEPTING THE BID, AND APPROVING A CONTRACT WITH MONTEREY MECHANICAL COMPANY, OF OAKLAND, CALIFORNIA IN THE AMOUNT OF $2,594,000 AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, plans and specifications have been prepared for the Cannery Segregation Pump Replacement Project, and City staff recommends approval by the City Council, and

WHEREAS, the bids received for the Cannery Segregation Pump Replacement Project were opened at 11:00 a.m. on September 2, 2015 for the consideration of the Council, and

WHEREAS, the Director of Utilities has recommended that the bid of $2,594,000 received from Monterey Mechanical Company, of Oakland, California be accepted as the lowest responsible and responsive bid and the contract be awarded to Monterey Mechanical Company.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the plans and specifications for the Cannery Segregation Pump Replacement Project, accepts the bid of Monterey Mechanical Company of Oakland, California in the amount of $2,594,000, and awards Monterey Mechanical Company the contract for the Cannery Segregation Pump Replacement Project.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the contract.
The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 10th day of November, 2015, by Councilmember Lopez,
who moved its adoption, which motion being duly seconded by Councilmember
Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Gunderson, Kenoyer, Lopez, Madrigal,
Zoslocki, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

STEVEN LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney