A RESOLUTION REAPPOINTING STEVE CARTER TO THE CITY OF MODESTO PLANNING COMMISSION

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the Economic Development Committee met on December 10, 2012, and recommended reappointment of Steve Carter to the Modesto Planning Commission.

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

SECTION 1. Steve Carter is hereby reappointed to the Planning Commission with a term expiration of January 1, 2017.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the reappointed member of the Modesto Planning Commission, and the Secretary thereof.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Cogdill, 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: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: ____________________________

SEAL

APPROVED AS TO FORM:

By: ____________________________

SEAL

SUSANA ALCALA WOOD, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2013-02

A RESOLUTION REAPPOINTING HANK POLLARD TO THE CITY OF MODESTO BOARD OF ZONING ADJUSTMENT

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the Economic Development Committee met on December 10, 2012, and recommended reappointment of Hank Pollard to the Modesto Board of Zoning Adjustment.

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

SECTION 1. Hank Pollard is hereby reappointed to the Board of Zoning Adjustment with a term expiration of January 1, 2017.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the reappointed member of the Modesto Board of Zoning Adjustment, and the Secretary thereof.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Cogdill, 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: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(Seal)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2013-03

A RESOLUTION REAPPOINTING JAYLEN FRENCH TO THE CITY OF MODESTO BOARD OF ZONING ADJUSTMENT

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the Economic Development Committee met on December 10, 2012, and recommended reappointment of Jaylen French to the Modesto Board of Zoning Adjustment.

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

SECTION 1. Jaylen French is hereby reappointed to the Board of Zoning Adjustment with a term expiration of January 1, 2017.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the reappointed member of the Modesto Board of Zoning Adjustment, and the Secretary thereof.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Cogdill, 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: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: ___________________________

SUSANNA ALCALA WOOD, City Attorney

(SEAL)

APPROVED AS TO FORM:

By: ___________________________

SUSANNA ALCALA WOOD, City Attorney
A RESOLUTION APPROVING A REQUEST BY THE COUNTY OF STANISLAUS TO EXPAND THE GEOGRAPHIC BOUNDARIES OF THE STANISLAUS ENTERPRISE ZONE BY 263.42 ACRES WITHIN ITS JURISDICTION AND AUTHORIZE THE STANISLAUS ECONOMIC DEVELOPMENT AND WORKFORCE ALLIANCE, AS THE STANISLAUS ENTERPRISE ZONE ADMINISTRATOR, TO SUBMIT THE WRITTEN REQUEST AND REQUIRED DOCUMENTATION TO THE CALIFORNIA DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

WHEREAS, the County of Stanislaus currently has an Enterprise Zone that was established on November 16, 2005, and is comprised of 67,508 acres, and

WHEREAS, existing law allows the Stanislaus Enterprise Zone to expand its geographic boundaries up to a maximum of 15% of the original zone boundaries or 10,126 acres, and

WHEREAS, the Stanislaus Enterprise Zone has previously been awarded six successful expansions of its geographic boundaries, and currently has an expansion capacity of approximately 1,416.2 acres, and

WHEREAS, the County of Stanislaus wishes to expand the boundaries of its Enterprise Zone jurisdiction by approximately 263.42 acres in unincorporated areas to include 100 acres at Burchell Nursery, 100 acres at Dave Wilson Nursery, and 63.42 acres at Hughson Nut/Cal Almond, and

WHEREAS, land included within the proposed expansion areas is zoned for industrial or commercial use, and

WHEREAS, basic infrastructure is available to the areas that would be included in the proposed expansion areas, and

WHEREAS, the County of Stanislaus will provide the same or equivalent local
incentives in the expansion area as provided to the existing Enterprise Zone jurisdictions, and

WHEREAS, the County of Stanislaus will submit a written request as required to the California Department of Housing & Community Development to have its enterprise zone boundaries expanded,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a request by the County of Stanislaus to expand the geographic boundaries of the Stanislaus Enterprise Zone by 263.4 acres to include 100 acres at Burchell Nursery, 100 acres at Dave Wilson Nursery, and 63.42 acres at Hughson Nut/Cal Almond.

BE IT FURTHER RESOLVED that the Stanislaus Economic Development and Workforce Alliance is hereby authorized to submit the written request and required documentation to expand the Enterprise Zone to the California Department of Housing & Community Development.
The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature] STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature] SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING A WILL SERVE LETTER FOR THE PROPERTY LOCATED AT 101 E STREET IN WATERFORD, APN: 134-007-078 TO CONNECT TO THE CITY OF MODESTO'S EXISTING WATER SYSTEM, AND AUTHORIZING THE CITY MANAGER TO SIGN THE WILL SERVE LETTER

WHEREAS, on May 22, 2012, the City Council approved a resolution number 2012-203, and

WHEREAS, it amended city of Modesto Municipal Code section 11-1.05 and Council Policy 5.001 relating to water connection charges and

WHEREAS, it required that the City Manager upon the recommendation of the Director responsible for utility system planning to request City Council approval for all extensions of water and sewer services into unincorporated areas.

WHEREAS, the property located at 101 E Street in Waterford is not connected to City’s water system and

WHEREAS, this property is located outside Modesto City limits, and

WHEREAS, City staff has completed an analysis and determined that it is reasonable for the City of Modesto to extend water service to this property and

WHEREAS, it has been determined that a sufficient quantity of potable water is available for normal usage by the proposed development and

WHEREAS, the water connection fees are paid and associated permits be obtained prior to connecting to the City water system.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Will Serve letter for a property located at 101 E Street (APN 134-007-078) in Waterford.
BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to approve the Will Serve letter.

The foregoing documents were introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING AN OUTSIDE SERVICE AGREEMENT BETWEEN THE CITY OF MODESTO AND CITY OF WATERFORD FOR WATER SERVICE FOR THE PROPERTY LOCATED AT 101 E STREET IN WATERFORD, APN: (134-007-078) AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, the property located at 101 E Street is not connected to City's water system, and

WHEREAS, this property is located outside Modesto City limits, and

WHEREAS, if it is determined that it is reasonable for the City to extend water service to this property, and

WHEREAS, it has been determined that a sufficient quantity of potable water is available for normal usage by the proposed development, and

WHEREAS, the water connection fees will be paid and associated permits be obtained prior to beginning any on site construction, and

WHEREAS, that the property owner enters into an outside service agreement for water with the City, as required for water service outside of City limits.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the outside service agreement for the property located at 101 E Street in Waterford APN (134-007-078)

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the agreement.
The foregoing documents were introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers:

ABSENT: Councilmembers:

ATTEST: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
RESOLUTION AUTHORIZING THE AWARD OF BID FOR THE PRINTING AND DELIVERY OF THE UTILITY BILL INSERT FOR THE UTILITY PLANNING AND PROJECTS DEPARTMENT, TO MAILING U.S./NOTEPADS, INC., ANAHEIM, CA, FOR A TWO (2) YEAR AGREEMENT WITH THREE (3) ONE-YEAR EXTENSION OPTIONS AT THE SOLE DISCRETION OF THE CITY, AND AUTHORIZING THE PURCHASING MANAGER, OR HIS DESIGNEE, TO ISSUE A PURCHASE AGREEMENT FOR AN ESTIMATED ANNUAL COST OF $24,353, AND OVER FIVE (5) YEARS OF $121,765

WHEREAS, the City Manager authorized the Purchasing Manager to issue formal Request for Bids (RFB) for the printing and delivery of the utility bill insert, and

WHEREAS, the Purchasing Division issued RFB No. 1213-03 Utility Bill Insert to seventeen (17) prospective bidders, nine (9) of which were local vendors, and posted the RFB on the City’s website, and

WHEREAS, bids were formally opened in the City Clerk’s Office. Seven (7) companies choose to respond, four (4) of which were local vendors. All seven (7) companies provided responsive and responsible bids, and

WHEREAS, based on providing the lowest responsive and responsible bid, City staff recommends the award of bid for the printing and delivery of the utility bill insert for the Utility Planning and Projects Department, to Mailing U.S./NotePads, Inc., Anaheim, CA, for a two (2) year agreement with three (3) one-year extension options at the sole discretion of the City, and

WHEREAS, Modesto Municipal Code Section 8-3.203 generally requires all purchases, which meet or exceed $50,000 for material, equipment or contractual services to be formally bid. The award of bid for the printing and delivery of the utility bill insert
for the Utility Planning and Projects Department, to Mailing U.S./NotePads, Inc., Anaheim, CA, conforms to the Modesto Municipal Code, and

WHEREAS, funds are appropriated in Fiscal Year 2012-13 for the printing and delivery of the utility bill insert in Appropriation Units: 4100-41410-53300, 4210-41310-5330, 4480-41210-53300, 0100-20180 and 0100-20182

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the award of bid for the printing and delivery of the utility bill insert for the Utility Planning and Projects Department, to Mailing U.S./NotePads, Inc., Anaheim, CA.

BE IT FURTHER RESOLVED that the Purchasing Manager, or his designee, is hereby authorized to issue a purchase agreement for an estimated annual cost of $24,353.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING THE EMPLOYMENT DEVELOPMENT DEPARTMENT (EDD) APPLICATION FOR ELECTIVE COVERAGE OF DISABILITY INSURANCE FOR EMPLOYEES REPRESENTED BY MODESTO CITY EMPLOYEES’ ASSOCIATION (MCEA); AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO TAKE THE NECESSARY ADMINISTRATIVE ACTION TO IMPLEMENT THE AGREEMENT

WHEREAS, the current Memorandum of Understanding (MOU) between the City of Modesto (CITY) and the Modesto City Employees’ Association (MCEA) includes pending issues to be addressed during the term of the contract, and

WHEREAS, MCEA desires to initiate participation in the State Disability Insurance (SDI) program for employees in the unit, and

WHEREAS, employers may elect coverage through the Disability Insurance Branch of the California Employment Development Department (EDD) by way of the application for elective coverage of disability insurance, and

WHEREAS, the CITY agreed to the coordination of these benefits so long as there is no additional financial or administrative cost to the CITY, and

WHEREAS, the Council considered this matter at its meeting of January 8, 2013,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council hereby approves the Employment Development Department (EDD) application for elective coverage of disability insurance for employees represented by the Modesto City Employees’ Association (MCEA); and authorizes the City Manager, or designee, to take the necessary administrative action to implement the agreement.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST:  

(SIGNATURE)

(Seal)

APPROVED AS TO FORM:

By:  

SUSANA ALCALA WOOD, City Attorney
A RESOLUTION AUTHORIZING THE PURCHASING MANAGER TO ISSUE PURCHASE AGREEMENTS FOR MAINTENANCE CONTRACT/SUPPORT AGREEMENTS THROUGHOUT FISCAL YEAR 2012-2013 FOR THE SOLE SOURCE PROCUREMENT OF VARIOUS HARDWARE AND SOFTWARE MAINTENANCE SUPPORT AGREEMENTS FROM HARDWARE AND SOFTWARE MANUFACTURERS FOR THE INFORMATION TECHNOLOGY DEPARTMENT FOR AN ESTIMATED ANNUAL COST NOT TO EXCEED $889,599

WHEREAS, the City has an ongoing need to issue purchase maintenance contracts/support agreements for hardware and software assets utilized by the City of Modesto and managed by the Information Technology Department, and

WHEREAS, the expenditures for maintenance contracts/support agreements have been approved by Council through the budget process, and

WHEREAS, staff requests the Purchasing Manager be authorized to issue purchase agreements for maintenance contract/support agreements throughout Fiscal Year 2012–2013 for the sole source procurement of various hardware and software maintenance support agreements from hardware and software manufacturers for an estimated budgeted amount not to exceed $889,599,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the Purchasing Manager be authorized to issue purchase agreements for maintenance contract/support agreements for the sole source procurement of various hardware and software maintenance support agreements throughout the Fiscal Year 2012–2013.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2013-10

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF MODESTO AND OFFICER WILLIAM JONES FOR THE PURCHASE OF RETIRED CITY OF MODESTO POLICE CANINE, CAINE; AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, the Police Chief for the City of Modesto, from time to time, officially retires police canines from departmental service, and

WHEREAS, City of Modesto police canine handler, Officer William Jones, wishes to purchase and assume possession of his assigned canine, Cain, upon the dog’s official retirement, and

WHEREAS, it is necessary to adopt a resolution authorizing the purchase of a City of Modesto police canine by its assigned handler,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the agreement between the City of Modesto and Officer Jones for the purchase of retired police canine, Cain.

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 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By SUSANA ALCALA WOOD, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2013-11

A RESOLUTION ACCEPTING THE CALIFORNIA GANG REDUCTION, INTERVENTION AND PREVENTION (CALGRIP) GRANT, FROM THE STATE OF CALIFORNIA, BOARD OF STATE AND COMMUNITY CORRECTIONS, IN THE AMOUNT OF $84,716, FOR PROJECT WAKE UP; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE NECESSARY GRANT DOCUMENTS

WHEREAS, the City of Modesto Police Department desires to undertake a certain project designated as Project Wake Up from the California Gang Reduction, Intervention and Prevention Program (CalGRIP), from the State of California, Board of State and Community Corrections (BSCC), and

WHEREAS, the Police Department was awarded a grant in the amount of $84,716 from BSCC, and

WHEREAS, this grant will use local collaborative efforts to reduce gang activity through the use of evidence-based prevention, intervention and suppression activities, and

WHEREAS, the grant requires a 100% match, and

WHEREAS, 20% of the grant funds will be given to the Community Based Organizations Center for Human Services, who has been providing services to Modesto residents for over 40 years and has presented at Wake Up classes in the past; and the Modesto Youth Soccer Association to provide recreational soccer league play for participants, and

WHEREAS, the term of this grant will be from January 1, 2013 to December 31, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts the California Gang Reduction, Intervention and Prevention
Program grant, from the State of California, Board of State and Community Corrections, in the amount of $84,716, for Project Wake Up.

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2013-12

A RESOLUTION AMENDING THE FISCAL YEAR 2012/2013 MULTI-YEAR BUDGETS TO REFLECT REVENUE AND EXPENSES, IN THE AMOUNT OF $84,716, FROM THE STATE OF CALIFORNIA, BOARD OF STATE AND COMMUNITY CORRECTION, FOR PROJECT WAKE UP

WHEREAS, the Police Department applied for and was awarded a grant in the sum of $84,716 from the State of California, Board of State and Community Correction (BSCC) for Project Wake Up, to use local collaborative efforts to reduce gang activity through the use of evidence-based prevention, intervention and suppression activities, and

WHEREAS, the grant will provide overtime for officers to partake in the program, gang awareness brochures, program supplies, training, and an interpreter, and

WHEREAS, this grant will use local collaborative efforts to reduce gang activity through the use of evidence-based prevention, intervention and suppression activities, and

WHEREAS, there is an in-kind match required of $84,716 for this grant which will be provided through a part-time Reserve Police Officer position, who will be the Project Wake Up Coordinator, and a part-time Police Assistant with no additional cost to the City, and

WHEREAS, 20% of the funds received will be given to the Community Based Organizations Center for Human Services, who has been providing services to Modesto residents for over 40 years and has presented at Wake Up classes in the past; and Modesto Youth Soccer Association to provide recreational soccer league play for participants, and
WHEREAS, the term of this program will be from January 1, 2013 through December 31, 2014,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Fiscal Year 2012/2013 Multi-Year Budgets are shown on Exhibit A attached are hereby amended.

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 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]

STEFANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
Exhibit A

The Project Wake Up grant allocation for Fiscal Year 2012/2013 Multi-Year Budgets will be applied to:

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MODESTO CITY COUNCIL
RESOLUTION NO. 2013-13

RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $138,694 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 501 FORTUNA AVENUE TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 “General Acquisition and Rehabilitation” activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all “boilerplate” loan agreements for the purchase and rehabilitation of 501 Fortuna Avenue, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 501 Fortuna Avenue at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $138,694 to purchase and
rehabilitate real property which is located at 501 Fortuna Avenue to be carried out by the Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: 

(SEAL)

APPROVED AS TO FORM:

By: 

SUSANA ALCALA WOOD, City Attorney
RESOLUTION NO. 2013-14

RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $185,000 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 1329 DEL VALE AVENUE TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 “General Acquisition and Rehabilitation” activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all “boilerplate” loan agreements for the purchase and rehabilitation of 1329 Del Vale Avenue, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 1329 Del Vale Avenue at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $185,000 to purchase and
rehabilitate real property which is located at 1329 Del Vale Avenue to be carried out by the Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez,
Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)
RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $132,487 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 2513 GALWAY DRIVE TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 “General Acquisition and Rehabilitation” activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all “boilerplate” loan agreements for the purchase and rehabilitation of 2513 Galway Drive, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 2513 Galway Drive at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $132,487 to purchase and
rehabilitate real property which is located at 2513 Galway Drive to be carried out by the Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: 

SEAL

APPROVED AS TO FORM:

By: 

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $160,523 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 2701 JENNIFER DRIVE TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 “General Acquisition and Rehabilitation” activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all “boilerplate” loan agreements for the purchase and rehabilitation of 2701 Jennifer Drive, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 2701 Jennifer Drive at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $160,523 to purchase and
rehabilitate real property which is located at 2701 Jennifer Drive to be carried out by the Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: [signature]

SEAL

APPROVED AS TO FORM:

By: [signature]

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $183,778 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 3825 LOUISBURG AVENUE TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 “General Acquisition and Rehabilitation” activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all “boilerplate” loan agreements for the purchase and rehabilitation of 3825 Louisburg Avenue, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 3825 Louisburg Avenue at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $183,778 to purchase and
rehabilitate real property which is located at 3825 Louisburg Avenue to be carried out by the Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $163,281 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 2020 CARVER ROAD TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 “General Acquisition and Rehabilitation” activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all “boilerplate” loan agreements for the purchase and rehabilitation of 2020 Carver Road, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 2020 Carver Road at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $163,281 to purchase and
rehabilitate real property which is located at 2020 Carver Road to be carried out by the Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: [Signature]

SEAL

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $157,370 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 3800 CARVER ROAD TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 “General Acquisition and Rehabilitation” activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all “boilerplate” loan agreements for the purchase and rehabilitation of 3800 Carver Road, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 3800 Carver Road at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $157,370 to purchase and
rehabilitate real property which is located at 3800 Carver Road to be carried out by the Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: __________________________

STEFANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: __________________________

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $189,086 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 816 CHALONE DRIVE TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 “General Acquisition and Rehabilitation” activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all “boilerplate” loan agreements for the purchase and rehabilitation of 816 Chalone Drive, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 816 Chalone Drive at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $189,086 to purchase and
rehabilitate real property which is located at 816 Chalone Drive to be carried out by the Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $169,464 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 2006 CODDING DRIVE TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 “General Acquisition and Rehabilitation” activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all “boilerplate” loan agreements for the purchase and rehabilitation of 2006 Codding Drive, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 2006 Codding Drive at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $169,464 to purchase and
rehabilitate real property which is located at 2006 Codding Drive to be carried out by the Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: 

(APPROVED AS TO FORM:)

By: SUSANA ALCALA WOOD, City Attorney

(SEAL)
RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $150,603 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 1925 HUNT AVENUE TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS.

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 “General Acquisition and Rehabilitation” activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all “boilerplate” loan agreements for the purchase and rehabilitation of 1925 Hunt Avenue, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 1925 Hunt Avenue at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $150,603 to purchase and
rehabilitate real property which is located at 1925 Hunt Avenue to be carried out by the Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

(Seal)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney

ATTEST: STEPHANIE LOPEZ, City Clerk
RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $163,038 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 3309 OCOTILLO WAY TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 “General Acquisition and Rehabilitation” activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all “boilerplate” loan agreements for the purchase and rehabilitation of 3309 Ocotillo Way, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 3309 Ocotillo Way at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $163,038 to purchase and
rehabilitate real property which is located at 3309 Ocotillo Way to be carried out by the Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $125,998 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 243 PHOENIX TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 “General Acquisition and Rehabilitation” activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all “boilerplate” loan agreements for the purchase and rehabilitation of 243 Phoenix, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 243 Phoenix at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $125,998 to purchase and
rehabilitate real property which is located at 243 Phoenix to be carried out by the
Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is
authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who
moved its adoption, which motion being duly seconded by Councilmember Geer, was
upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez,
         Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST:  

(SEAL)

APPROVED AS TO FORM:

By:  

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $181,366 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 2416 STONE CROP LANE TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 "General Acquisition and Rehabilitation" activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all "boilerplate" loan agreements for the purchase and rehabilitation of 2416 Stone Crop Lane, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 2416 Stone Crop Lane at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $181,366 to purchase and
rehabilitate real property which is located at 2416 Stone Crop Lane to be carried out by
the Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is
authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who
moved its adoption, which motion being duly seconded by Councilmember Geer, was
upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers:  Burnside, Cogdill, Geer, Gunderson, Lopez,
Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2013-26

RESOLUTION APPROVING THE RELEASE OF FUNDS IN THE AMOUNT OF $158,198 TO PURCHASE AND REHABILITATE REAL PROPERTY WHICH IS LOCATED AT 304 YUBA RIDGE LANE TO BE CARRIED OUT BY THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (HACS) AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN LOAN DOCUMENTS AND ALL RELATED CLOSING DOCUMENTS

WHEREAS, on January 26, 2012 a Special Council Study/Workshop session was held to outline a plan to move forward with expending the remaining NSP2 funds in the NSP2 General Acquisition and Rehabilitation activity, and

WHEREAS, on March 13, 2012, by Resolution 2012-104, Council approved the updated NSP2 Guidelines which included approving the HACS as the sub-recipient to expend the remaining NSP2 funds, and

WHEREAS, on September 4, 2012, City Council, by Resolution No. 2012-361, approved a NSP2 Memorandum of Understanding (MOU) with the HACS to expend the remaining funds budgeted in the NSP2 “General Acquisition and Rehabilitation” activity to not exceed $2 million, and

WHEREAS, on September 4, 2012, by Resolution No. 2012-362, City Council approved all “boilerplate” loan agreements for the purchase and rehabilitation of 304 Yuba Ridge Lane, and

WHEREAS, the CH&CDC sub-committee recommended the property acquisition and rehabilitation loan for real property located at 304 Yuba Ridge Lane at its meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the release of funds in the amount of $158,198 to purchase and
rehabilitate real property which is located at 304 Yuba Ridge Lane to be carried out by
the Housing Authority of the County of Stanislaus that City.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is
authorized to execute the required documents for the release of funds.

The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who
moved its adoption, which motion being duly seconded by Councilmember Geer, was
upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez,
Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING AN INCENTIVE-BASED AGREEMENT EXTENDING THE SERVICES OF SIXEL CONSULTING GROUP, INC. TO PROVIDE AIR SERVICE DEVELOPMENT EFFORTS TO SECURE ADDITIONAL AIRLINE SERVICE FOR THE MODESTO CITY-COUNTY AIRPORT, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, In 2009 the City Council, by Resolution No. 2009-380, approved entering into an incentive-based agreement with SCG to provide air service development work for Modesto City-County Airport (MOD), and

WHEREAS, since that time SCG has partnered with the City to attract new air service, and

WHEREAS, this new Agreement replaces the prior Agreement with SCG and provides for continuing efforts by SCG on behalf of the City to obtain new air service, and

WHEREAS, based on SCG’s success attracting new air service in other locations, the City can anticipate increased revenues from existing fees and concessions, and

WHEREAS, SCG will receive $15,000 compensation at the commencement of this new Agreement, in addition to other fees for specific projects included in the Scope of Agreement shown in Exhibit A, and

WHEREAS, SCG will also paid a sum of $2 per each enplaned passenger on new air service operations at the Modesto City-County Airport (Airport) for a two-year period as compensation for performing all services, furnishing all staffing and materials called for in Exhibit A, and for performing the consultant duties and obligations described in the attached agreement, and
WHEREAS, as a term of this Agreement with SCG, the City will commit to an active role in support of airline service development with approximate expenditures of $21,000 annually over the course of this 36 month Agreement, and

WHEREAS, there is a potential for approximately $243,000 in revenue if SCG is successful in obtaining new airline services,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an incentive-based agreement extending the services of Sixel Consulting Group, Inc. to provide air service development efforts to secure additional airline service for the Modesto City-County Airport under the terms and conditions stated in the Agreement for a 36-month period.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute said Agreement.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carrier and the resolution adopted by the following vote:

AYES: Councilmember: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmember: None

ABSENT: Councilmember: None

SEAL

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

01/08/2013/PW/JThiele/Item 28
STANDARD AGREEMENT FOR
CONSULTANT SERVICES

THIS AGREEMENT, made and entered into in the City of Modesto, State of California, this _____ day of August, 2012, ("Effective Date") by and between the CITY OF MODESTO, a municipal corporation of the State of California, hereinafter referred to as "City", and Sixel Consulting Group, Inc., an Oregon company, hereinafter referred to as "Consultant" This Agreement is made with regard to the following recitals:

A. The City has determined that air service development work should be prepared for the City.

B. Consultant represents that it is qualified, willing and able to provide the services to prepare said work.

NOW, THEREFORE, in consideration of this Agreement, and the mutual promises, covenants, and stipulations hereinafter contained, the parties agree as follows:

1. SCOPE OF SERVICES.

Consultant shall undertake and complete the preparation of the scope of work as set forth and described in the documents attached hereto and referred to as Exhibit "A" or "project". The Consultant shall perform the services as described in Exhibit "A" in a manner compatible with the standards of its profession, and shall produce a fully complete project that is acceptable to City.

2. TERM OF AGREEMENT.

This Agreement is effective as of the date first written above and will continue in effect for a period of thirty-six (36) months unless terminated earlier in accordance with the provisions of the termination clause in this Agreement.

City hereby gives Consultant notice to proceed with the preparation of the project in the manner described in Exhibit "A", as of the Effective Date of this Agreement. Consultant shall diligently
proceed with the preparation of the project and agrees to complete said preparation within the time period set forth in Exhibit "A".

3. COMPENSATION.

As this contract replaces a previous contract and the terms of payment have changed, Consultant will receive $15,000 at commencement of this contract. In addition, Consultant agrees to accept a sum of $2 per passenger for a period of twenty-four (24) months, as specified in Exhibit "A", plus other fees for specific projects as listed in Exhibit "A" as full remuneration for performing all services and furnishing all staffing and materials called for in Exhibit "A" and for performance by Consultant of all of its duties and obligations under this Agreement.

4. OBLIGATIONS OF CONSULTANT.

Throughout the term of this Agreement, Consultant shall possess, or secure all licenses, permits, qualifications and approvals legally required to conduct business. Consultant warrants that it has all of the necessary professional capabilities and experience, as well as all tools, instrumentalities, facilities and other resources necessary to provide the City with the services contemplated by this Agreement. Consultant further warrants that it will follow the best current, generally accepted and professional practices to make findings, render opinions, prepare factual presentations, and provide professional advice and recommendations regarding this project.

5. PERFORMANCE BY KEY EMPLOYEE.

Consultant has represented to City that Mark Sixel will be the person primarily responsible for the performance of the services referred to in this Agreement. City has entered into this Agreement in reliance on that representation by Consultant. Consultant therefore agrees that thirty-three percent (33%) or more of the time to be devoted to the project that is the subject of this Agreement will be that of the above-named person.
6. OWNERSHIP OF DOCUMENTS/TITLE TO DATA.

Ownership of Documents

All reports, drawings, designs, graphics, working papers and other incidental work or materials furnished hereunder shall become and remain the property of the City, and may be used by City as it may require without any additional cost to City. No reports shall be used by the Consultant for purposes other than this Agreement without the express prior written consent of City.

Title to Data

If, as a part of the Agreement, Consultant is required to produce data such as, but not limited to, drawings, plans, specifications, calculations, models, flow diagrams, visual aids and other related materials, the originals of all such data generated under this Agreement will be delivered to City upon the completion or termination of services under the contract.

All materials, documents, data or information obtained from the City data files or any City medium furnished to Consultant in the performance of this Agreement will at all times remain the property of the City. Such data or information may not be used or copied for direct or indirect use by Consultant after termination of this Agreement without written consent of the City.

7. NEWS AND INFORMATION RELEASE.

Consultant agrees that it will not issue any news releases in connection with either the award of this Agreement, or any subsequent amendment of or efforts under this Agreement, without first obtaining review and approval of said news releases from City through the City Manager.

8. INTEREST OF CONTRACTOR.

Consultant warrants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this Agreement. Consultant warrants that, in performance of this Agreement, Consultant
shall not employ any person having any such interest. Consultant agrees to file a Statement of Economic Interests with the City Clerk at the start and end of this Agreement if so required at the option of City.

9. AMENDMENTS.

Both parties to this Agreement understand that it may become desirable or necessary during the execution of this Agreement, for City or Consultant to modify the scope of services provided for under this Agreement. Any material extension or change in the scope of work shall be discussed with City and the change and cost shall be memorialized in a written amendment to the original agreement prior to the performance of the additional work.

Until a change order is so executed, City will not be responsible to pay any charges Consultant may incur in performing such additional services, and Consultant shall not be required to perform any such additional services.

10. INDEPENDENT CONTRACTOR.

All acts of the Consultant, its agents, officers, and employees and all others acting on behalf of Consultant relating to the performance of this Agreement, shall be performed as independent contractors and not as agents, officers, or employees of City. Consultant, by virtue of this Agreement, has no authority to bind or incur any obligation on behalf of City. Consultant has no authority or responsibility to exercise any rights or power vested in the City. No agent, officer, or employee of the City is to be considered an employee of Consultant. It is understood by both Consultant and City that this Agreement shall not, under any circumstances, be construed or considered to create an employer-employee relationship or a joint venture.

Consultant, its agents, officers and employees are, and at all times during the term of this Agreement shall represent and conduct themselves as, independent contractors and not as employees of City.
Consultant shall determine the method, details and means of performing the work and services to be provided by Consultant under this Agreement. Consultant shall be responsible to City only for the requirements and results specified in this Agreement, and, except as expressly provided in this Agreement, shall not be subjected to City's control with respect to the physical action or activities of the Consultant in fulfillment of this Agreement. Consultant has control over the manner and means of performing the services under this Agreement. Consultant is permitted to provide services to others during the same period service is provided to City under this Agreement. If necessary, Consultant has the responsibility for employing other persons or firms to assist Consultant in fulfilling the terms and obligations under this Agreement.

If in the performance of this Agreement any third persons are employed by Consultant, such persons shall be entirely and exclusively under the direction, supervision, and control of Consultant. All terms of employment including hours, wages, working conditions, discipline, hiring, and discharging or any other term of employment or requirement of law shall be determined by the Consultant.

It is understood and agreed that as an independent contractor and not an employee of City neither the Consultant nor Consultant's assigned personnel shall have any entitlement as a City employee, right to act on behalf of the City in any capacity whatsoever as an agent, or to bind the City to any obligation whatsoever.

It is further understood and agreed that Consultant must issue W-2 forms or other forms as required by law for income and employment tax purposes for all of Consultant's personnel.

As an independent contractor, Consultant hereby indemnifies and holds City harmless from any and all claims that may be made against City based upon any contention by any third party that an employer-employee relationship exists by reason of this Agreement.
11. ASSIGNMENT.

Neither this Agreement nor any portion thereof shall be subcontracted or assigned without the express prior written consent of the City in each and every instance.

12. PATENT/COPYRIGHT MATERIALS.

Unless otherwise expressly provided in the contract, Consultant shall be solely responsible for obtaining the right to use any patented or copyrighted materials in the performance of this Agreement. Consultant shall furnish a warranty of such right to use to City at the request of City.

13. NOTICES.

Any and all notices permitted or required to be given hereunder shall be deemed duly given and effective (1) upon actual delivery, if delivery is by hand; or (2) five (5) days after delivery into the United States mail if delivery is by postage paid registered or certified (return receipt requested) mail. Each such notice shall be sent to the parties at the address respectively indicated below or to any other address as the respective parties may designate from time to time.

FOR CONSULTANT: Name: Mark Sixel
Address: Sixel Consulting Group, Inc.
         497 Oakway Rd, Suite 220
         Eugene, OR 97401
         Phone: (541) 341-1601

CITY: Name: City of Modesto
      Modesto City-County Airport
      Address: 617 Airport Way
                Modesto, CA 95354
      Attention: Airport Manager
      Phone: (209) 577-5319
14. INSURANCE REQUIREMENTS.

The Consultant shall provide at its own expense and maintain at all times the following insurance with insurance companies licensed in the State of California and shall provide evidence of such insurance to the City as may be required by the Risk Manager of the City. The policies or certificates thereof shall provide that, thirty (30) days prior to cancellation or material change in the policy, notices of same shall be given to the Risk Manager of the City by certified mail, return receipt requested, for all of the following stated insurance policies.

(a) **Workers Compensation**- in compliance with the statutes of the State of California, plus employer's liability with a minimum limit of liability of $1,000,000.

(b) **General Liability** insurance with a minimum limit of liability per occurrence of $1,000,000 for bodily injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit. This insurance shall indicate on the certificate of insurance the following coverages and indicate the policy aggregate limit applying to: premises and operations; broad form contractual; independent consultants and subcontractors; products and completed operations as applicable.

(c) **Automobile Liability** insurance with a minimum limit of liability per occurrence of $1,000,000 for bodily injury and property damage. This insurance shall cover any automobile for bodily injury and property damage.

(d) **Professional Liability** insurance with a minimum limit of $1,000,000 per claim and policy aggregate. If coverage is on a claims made basis it shall be maintained for at least three (3) years following completion of the work.

If at any time any of said policies shall be unsatisfactory to the City, as to form or substance, or if a company issuing such policy shall be unsatisfactory to the City, the Consultant shall promptly
obtain a new policy, submit the same to the Risk Manager for approval and submit a certificate thereof as hereinabove provided. Upon failure of the Consultant to furnish, deliver or maintain such insurance and certificates as above provided, this Agreement, at the election of the City, may be forthwith declared suspended or terminated. Failure of the Consultant to obtain and/or maintain any required insurance shall not relieve the Consultant from any liability under this Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the obligations of the Consultant concerning indemnification. The City, its agent’s officers, employees, and volunteers shall be named as an additional insured on all insurance policies required herein, except Workers Compensation and Professional Liability. The Workers Compensation insurer shall agree to waive all rights of subrogation against the City, its agents, officers, employees, and volunteers for losses arising from work performed by Consultant for the City. The Consultant’s insurance policy(ies) shall include a provision that the coverage is primary as respects the City; shall include no special limitations to coverage provided to additional insured; and, shall be placed with insurer(s) with acceptable Best's rating of A:VII or with approval of the Risk Manager. The Consultant must deliver certificates evidencing existence of the insurance listed above to the City prior to the time the contract is signed.

CONSULTANT shall provide CITY with separate endorsements evidencing proof of the CITY’s additional insured status as to both the general liability and automobile liability insurance policies. In addition, CONSULTANT shall provide CITY with a Workers Compensation subrogation waiver by way of a separate endorsement. All endorsements referenced above must include the applicable policy number.

For any claims related to this project, the CONSULTANT’S insurance coverage shall be primary insurance as respects the Entity, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the Entity, its officers, officials, employees, or volunteers
shall be in excess of the CONSULTANT'S insurance and shall not contribute with it.

15. TERMINATION OF AGREEMENT.

City shall have the right to terminate this contract at any time in its sole discretion, with or without cause, subject to the rights of Consultant set forth herein.

In the Event of Termination

If this Agreement is terminated pursuant to this section, Consultant shall cease all its work on the project as of the termination date and shall see to it that its employees, subcontractors and agents are notiﬁed of such termination and cease their work. If City so requests, and at City's cost, Consultant shall provide sufﬁcient oral or written status reports to make City reasonably aware of the status of Consultant's work on the project. Further, if City so requests, and at City's cost, Consultant shall deliver to City any work products whether in draft or fmal form which have been produced to date.

If the Agreement is terminated pursuant to any of the subsections contained in this section, City will pay Consultant an amount based on the percentage of work completed on the termination date, this percentage shall be determined by City in its sole discretion. If the Agreement is terminated pursuant to the subparagraph entitled Termination by City for Default of Consultant, Consultant understands and agrees that City may, in City's sole discretion, refuse to pay Consultant for that portion of Consultant's services which were performed by Consultant on the project prior to the termination date and which remain unacceptable and/or not useful to City as of the termination date.

16. CERTIFIED PAYROLL REQUIREMENT.

For consultants performing field work on public works contracts on which prevailing wages are required: The Consultant shall comply with the provisions of Section 1776 of the California Labor Code, regarding payroll records, and shall require its sub-consultants and subcontractors to comply with that section as may be required by law.
17. INDEMNITY.

The Consultant shall hold the City, its agents, officers, employees, and volunteers, harmless from and save, defend and indemnify them against any and all claims, losses, liabilities, judgments or damages from every cause, including but not limited to injury to person or property or wrongful death, including reasonable costs and expenses of defense of any judicial or administrative action, arising directly or indirectly out of any negligent or intentional act or omission of Consultant, or its agents, officers, employees, or volunteers relating to or during the performance of its obligations under this Agreement.

Consultant's obligation to defend, indemnify, and hold the City, its agents, officers, and employees harmless under the provisions of this paragraph is not limited to or restricted by any requirement in this Agreement for Consultant to procure and maintain a policy of assurance.

18. DISPUTE RESOLUTION.

All claims, controversies, or disputes arising out of, or relating to the formation of this Agreement, or the breach, termination execution, enforcement, interpretation, or validity of this Agreement, including the determination of the scope or applicability of this contract provision shall be determined by binding arbitration in Modesto, California, by one arbitrator, except as otherwise specified in this Agreement. The American Arbitration Association shall administer the arbitration under its Arbitration Rules then in effect, subject to the modifications of those rules contained in this paragraph. This agreement to arbitrate shall be specifically enforceable under the prevailing law of any court having jurisdiction, and the award rendered by the arbitrator may be entered in any court having jurisdiction. The appropriate venue for any arbitration or court proceeding relating to or arising out of this provision shall be in Stanislaus County, California.

This paragraph is not intended to and does not waive the claim filing requirements found in
California Government Code section 900 et seq. In the event that a timely and legally sufficient, arbitrable claim is filed by Consultant with City, and the claim is rejected in whole or in part by City, this paragraph shall result in the conclusive, final, and binding resolution of all the issues presented in the claim by Consultant so long as any issues presented by the claim are arbitrable. Claims rejected by City or by operation of law, shall be submitted by Consultant to arbitration pursuant to the Arbitration Rules of the American Arbitration Association within ninety (90) days after mailing of the written rejection by City to Consultant. Otherwise, the claim or claims shall be deemed waived in their entirety.

The “fast track” rules of the American Arbitration Association shall apply to any claim or counterclaim less than ONE HUNDRED FIFTY THOUSAND AND 00/100 ($150,000.00) DOLLARS. In arbitration not proceeding under the "fast track" rules, the arbitrator shall have the power to order that depositions be taken and other discovery be made. Both City and Consultant shall have the right, upon written notice, to take no more than three (3) depositions of the other as a matter of right in an arbitration proceeding under the "fast track" rules.

Whether or not City and Consultant may be engaged in interstate commerce, any controversy or dispute mentioned above shall be determined by, and the parties shall be bound by, the substantive law of the State of California, and not the Federal Arbitration Act at 9 USC Section 1 et seq.

The arbitrator may grant any remedy or relief deemed by the arbitrator just and equitable under the circumstances, whether or not such relief could be awarded in a court of law. The arbitrator shall be empowered to award monetary sanctions against a party for failure of cooperation in the arbitration. The arbitrator shall, in written award, allocate all the costs of the arbitration, including the fees of the arbitrator and the reasonable attorney fees of the prevailing party, against the party who did not prevail. The prevailing party shall be the party in whose favor the majority of the central issues in the case are resolved.

Notwithstanding anything in this provision to the contrary, the arbitrator shall have no power to
award punitive damages or other damages not measured by the party's actual damages (excluding litigation costs and fees) against any party. This limitation of the arbitrator's powers under this Agreement shall not operate as an exclusion of the issue of punitive damages from this Agreement to Arbitrate sufficient to vest jurisdiction in a court with respect to that issue.

Consultant shall include in all subcontracts a specification whereby the subcontractor consents to being joined in arbitration between City and Consultant involving the work of the subcontractor to be joined. Consultant's failure to do so shall be a breach of this Agreement.

The parties hereby waive any rights provided by Title 9.2 of the California Code of Civil Procedure, Section 1296. The arbitrator's award shall be deemed final, conclusive and binding to the fullest extent allowed by California law.

19. ENTIRE AGREEMENT.

This Agreement and its exhibits contain the entire understanding between Consultant and City. Additional or new terms contained in this Agreement which vary from Consultant's proposal are controlling and are deemed accepted by Consultant by shipment of any article or other commencement of performance hereunder. All previous proposals, offers and communications relative to this Agreement, whether oral or written, are hereby superseded except to the extent that they have been incorporated into this Agreement. No future waiver of or exception to any of the terms, conditions, and provisions of this Agreement shall be considered valid unless specifically agreed to in writing by all the parties.

20. PARTIAL INVALIDITY.

If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.

21. WAIVER.

The waiver by any party to this Agreement of a breach of any provision hereof shall be in writing
and shall not operate or be construed as a waiver of any other or subsequent breach hereof unless specifically stated in writing.

22. AUDIT.

The City's duly authorized representative shall have access at all reasonable times to all reports, contract records, contract documents, contract files, and personnel necessary to audit and verify Consultant's charges to City under this Agreement.

Consultant agrees to retain reports, records, documents, and files related to charges under this Agreement for a period of four (4) years following the date of final payment for Consultant services. City's representative shall have the right to reproduce any of the aforesaid documents.

23. GOVERNING LAW.

This Agreement shall be governed according to the laws of the State of California.

24. HEADINGS NOT CONTROLLING.

Headings used in the Agreement are for reference purposes only and shall not be considered in construing this Agreement.

25. COMPLIANCE WITH LAWS.

Consultant shall insure compliance with all safety and hourly requirements for employees, in accordance with federal, state, and county safety and health regulations and laws. Consultant shall fully comply with all applicable federal, state, and local laws, ordinances, regulations and permits.

26. CITY BUSINESS LICENSE.

Consultant will have a City of Modesto business license.
IN WITNESS WHEREOF, the City of Modesto, a municipal corporation, has authorized the execution of this Agreement in duplicate by its City Manager and attestation by its City Clerk under authority of Resolution No. __________, adopted by the Council of the City of Modesto on the ___ day of ________, 2012, and Consultant has caused this agreement to be duly executed in duplicate as of the Effective Date.

CITY OF MODESTO,  
A municipal corporation

By ______________________  
GREG NYHOFF, City Manager

CONSULTANT,  
An Oregon company

By ______________________  
MARK SIXEL, President

ATTEST:

By ______________________  
STEPHANIE LOPEZ, City Clerk

APPROVED AS TO FORM:  
SUSANA ALCALA WOOD, City Attorney

By ______________________  
ROLAND STEVENS, Assistant City Attorney

APPROVED AS TO FORM:  
MARY AKIN, Risk Manager

* Corporations – signature of two (2) officers required or one (1) officer plus corporate seal.

Partnership – signature of a partner required

Sole Proprietorship – signature of proprietor required

Consultant’ Federal ID #74-2800263
Exhibit A, Scope of Agreement

The Modesto City-County Airport ("Airport") and Sixel Consulting Group, Inc. ("Consultant") agree as follows:

It is the goal of the Airport to secure additional airline service in order to provide increased competition and secure additional seats and non-stop markets for the community. Consultant seeks to provide the expertise and devote the time necessary to ensure the success of this goal. The Airport also seeks to accomplish this goal in a cost effective manner, therefore, Consultant has structured a proposal to be heavily incentive laden with compensation directly tied to the success of the Consultant in achieving goals. Therefore, Consultant is assuming a large share of the financial risk. Consultant and Airport agree to the following scope of work:

1. Consultant will identify potential new and incumbent airlines that have the possibility of adding to existing service or adding new service to the Airport.

2. Consultant will produce air service case studies to be presented to targeted airlines. These case studies will include, but not be limited to, community background information, economic and demographic analyses, passenger traffic analyses and comparisons and financial projections. Consultant will accompany Airport officials, as requested, in the presentation of these materials to the airlines. Phone calls, e-mails, follow-up information requests and continued dialog with the Airport and the airlines are included.

3. Consultant will represent the Airport at all Air Service Development Conferences Consultant attends, such as Jumpstart, Network, etc. and will prepare and present material for such meetings. Consultant agrees to attend at least one of these specialized conferences each calendar year of this contract. In order to represent Airport, Airport must also register for the events at which Airport requests Consultant's assistance.
4. Consultant shall produce the *Airport Traffic Year End – Modesto City-County Airport* every three months. One printed copy will also be provided to the Airport for distribution as desired, as will unlimited digital copies.

5. Consultant can, as requested by Airport, prepare Department of Transportation Small Community Air Service Development Grant proposals in each year Airport is eligible, for the full term of this agreement.

6. Consultant can, as requested by Airport, prepare and present an air service overview for the community, the Airport Board, and/or major economic leaders. This presentation will focus on air service development, airport potential, and the current state of the airline industry.

7. Consultant can, as requested by Airport, prepare an airline recruitment video for presentation at airline/airport conferences and in one-on-one meetings with air carriers. This video will be shot by Consultant in Modesto, and edited to be between eight and ten minutes in length. Consultant will interview key leaders with respect to their need for additional air service at Airport.

8. Consultant can, as requested by Airport, develop and manage advertising and marketing campaign(s) to support any new service that is introduced.

Under this agreement, Consultant will waive standard charges and fees in lieu of a success fee/incentive program based on Consultant's success in recruiting new and additional air service to Airport. Charges and fees for the following projects will be fully waived:

1. Air Service Development Conferences

2. Airline Presentations at Airline Headquarters

   In exchange for waiving fees for projects listed above: 1) For airlines that Consultant contacted, provided information, made presentations or otherwise recruited (starting with the first day of new service by a new airline currently not serving Airport), Consultant
will receive payment in the amount of $2.00 per enplaned passenger on the new service for a period of twenty-four (24) months from the initiation of service. 2) For expansion of service by an incumbent airline to a destination without scheduled service at Airport in at least nine of the previous twelve months from the date of initiation of this agreement, that Consultant contacted, provided information, made presentations or otherwise recruited, Consultant will receive payment in the amount of $2.00 per enplaned passenger on the new service, as defined above, at Airport for a period of twenty-four (24) months from the initiation of service. 3) In the event that an incumbent airline that Consultant contacted, provided information, made presentations or otherwise recruited, transfers service to another airport (e.g., Skywest discontinues service to San Francisco, but “transfers” that service to Los Angeles), Consultant would receive $2.00 for enplaned passengers on the “new” route that are in excess of the last three-year monthly average from the “old” route for a period of twenty-four (24) months from the initial date the service was transferred. Compensation for enplanements is based on monthly enplanement totals and will be billed on a monthly basis.

Other projects, not directly associated with the recruitment of additional air service, but important to the overall health of the air service environment at Airport as determined by Airport management, shall be invoiced at significantly discounted rates — in most cases at least 50% of standard Consultant rates. Each of the projects listed below shall be invoiced upon completion, at the stated rates:

1. **Airport Traffic Year End** and access to **Airport Traffic Online**. Consultant will provide its **Airport Traffic Year End** reports and access to Online databases. Consultant will invoice $1,500 per quarter plus shipping costs for this product.
2. Small Community Air Service Development Grants. Consultant will prepare Grant proposals for each year Airport is eligible for the duration of this agreement. Consultant shall invoice $5,000 for each Grant proposal it prepares on behalf of Airport. $2,500 will be invoiced upon the DOT’s issuance of Grant RFP. The remaining $2,500 will be invoiced upon submission of Airport’s proposal.

3. Community Meetings. Consultant can, at Airport’s request, deliver presentation at community meetings. Consultant will invoice $5,000 upon completion of each set of meetings. Consultant will be available for up to four meetings over a two day period in Modesto. Each additional meeting beyond four will be invoiced at $250 per meeting. Consultant will also invoice for reimbursement of applicable travel expenses (including airfare, hotel, and rental car/gas) at cost plus 10%.

4. Airline Recruitment and Social Media Video. Consultant can, at Airport’s request, prepare an Airline Recruitment and Social Media Video. Consultant will invoice $15,000 for video, upon completion of video in DVD format. Consultant will also invoice for reimbursement of applicable travel expenses (including airfare, hotel, and rental car/gas) at cost plus 10%. City will be provided the opportunity to request up to two edits of video at no additional charge. Edits in excess of the two additional included herein will be charged an additional fee.

Consultant will invoice for other applicable expenses, incurred while directly working on air service development projects for Modesto and for printing charges. Specifically, Consultant will invoice for reimbursement of applicable travel expenses at cost plus 10%.

Travel fees, participation fees, etc. necessary to represent the Airport at Air Service Conferences (Jumpstart, Network, etc.) are to be allocated to all clients Consultant represents at these Conferences based on the number of individual airline meetings at which the consultant represents the Airport divided by the total number of individual airline meetings the Consultant has scheduled at these events, billed at
cost plus 10%. Applicable expenses include registration fees, airfare, reasonable and necessary hotel, car rental and gas.

Printing is billed at $1 per color page.

Other terms of this agreement:

1. Success Fee payment provisions will be valid for service begun within twenty-four (24) months after any airline presentation, beginning June 1, 2011.

3. All travel plans for which Consultant expects reimbursement shall be approved by Airport representative in advance of any expenditure.
RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE 2012 SANITARY SEWER COLLECTION SYSTEM REPLACEMENT PROJECT, ACCEPTING THE BID, AND APPROVING A CONTRACT WITH ROLFE CONSTRUCTION OF ATWATER, CALIFORNIA IN THE AMOUNT OF $691,290, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE CONTRACT

WHEREAS, plans and specifications have been prepared for the 2012 Sanitary Sewer Collection System Replacement project, and City staff recommends approval by the City Council, and

WHEREAS, the bids received for the 2012 Sanitary Sewer Collection System Replacement project were opened at 11:00 a.m. on December 4, 2012, and later tabulated by the Director of Utility Planning and Projects for the consideration of the Council, and

WHEREAS, the Director of Utility Planning and Projects has recommended that the bid of $691,290, received from Rolfe Construction of Atwater, California, be accepted as the lowest responsible bid and the contract be awarded to Rolfe Construction,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the plans and specifications for the 2012 Sanitary Sewer Collection System Replacement project, accepts the bid, and approves a contract with Rolfe Construction of Atwater, California in the amount of $691,290.

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 8th day of January, 2013, by Councilmember Lopez, who
moved its adoption, which motion being duly seconded by Councilmember Burnside,
was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez,
Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
RESOLUTION AMENDING THE FISCAL YEAR 2012-2013 CAPITAL IMPROVEMENT PROGRAM BUDGET IN THE AMOUNT OF $69,884 TO BE TRANSFERRED INTO THE PROJECT FROM WASTEWATER FUND RESERVES IN ORDER TO FULLY FUND CONSTRUCTION, CONTINGENCY, AND CONSTRUCTION ADMINISTRATION FOR THE 2012 SANITARY SEWER COLLECTION SYSTEM REPLACEMENT PROJECT

WHEREAS, certain budgetary transactions are necessary in the amount of $69,884, in order to fund construction, contingency, and construction administration for the 2012 Sanitary Sewer Collection System Replacement project, and

WHEREAS, the Fiscal Year 2012-2013 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 2012-2013 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 8th day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

(SEAL)

APPROVED AS TO FORM:

By: 

SUSANA ALCALA WOOD, City Attorney
Exhibit A

Due to the increase of estimated construction, contingency, and construction administration costs for CIP Account #100664 “2012 Sanitary Sewer Collection System Replacement Project”, the total project costs need to be increased by $69,884. This would be done by adjusting Construction by $73,898, Contingency by $1,087, Construction Administration by $1,587, and Engineering/Design/Administration by <$6,688>.

To fund the above account, $69,884 will be transferred from Wastewater Fund Reserves into CIP Project 100664 for the 2012 Sanitary Sewer Collection System Replacement project.
RESOLUTION ACCEPTING THE WORK BY CON J FRANKE, INC., FOR THE “EMERGENCY GENERATORS AT TANK 7, 8 AND WELL 100 PROJECT” AS COMPLETE, AUTHORIZING THE CITY CLERK TO FILE A NOTICE OF COMPLETION WITH THE STANISLAUS COUNTY RECORDER UPON RECEIPT OF APPROVED WARRANTY BOND, AND AUTHORIZING PAYMENT OF AMOUNTS TOTALING $561,136

WHEREAS, a report has been filed by the Director of Utility Planning and Projects that the Emergency Generators at Tank 7, 8 and Well 100 Project has been completed by Con J Franke, Inc., in accordance with the contract agreement dated August 3, 2011,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Emergency Generators at Tank 7, 8 and Well 100 Project is hereby accepted as complete from said contractor, Con J Franke, Inc., that the City Clerk is authorized to file a Notice of Completion with the Stanislaus County Recorder upon receipt of approved Warranty Bond, and that payment of amounts totaling $561,136 is authorized as provided in the contract.
The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 8th day of January, 2013, by Councilmember Lopez, who
moved its adoption, which motion being duly seconded by Councilmember Burnside,
was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez,
Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE PRIMARY OUTFALL REHABILITATION PROJECT - PHASE III, ACCEPTING THE BID, AND APPROVING A CONTRACT WITH HPS MECHANICAL OF BAKERSFIELD, CALIFORNIA IN THE AMOUNT OF $2,314,670, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE CONTRACT

WHEREAS, plans and specifications have been prepared for the Primary Outfall Rehabilitation Project - Phase III, and City staff recommends approval by the City Council, and

WHEREAS, the bids received for the Primary Outfall Rehabilitation Project - Phase III were opened at 11:00 a.m. on December 11, 2012, and later tabulated by the Director of Utility Planning and Projects for the consideration of the Council, and

WHEREAS, the Director of Utility Planning and Projects has recommended that the bid of $2,314,670 received from HPS Mechanical, Inc. of Bakersfield, California be accepted as the lowest responsible bid and the contract be awarded to HPS Mechanical, Inc.,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the plans and specifications for the Primary Outfall Rehabilitation Project - Phase III, accepts the bid of HPS Mechanical, Inc. of Bakersfield, California in the amount of $2,314,670, and awards HPS Mechanical, Inc. the contract with for the Primary Outfall Rehabilitation Project - Phase III.

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 8th day of January, 2013, by Councilmember Burnside, who moved its adoption, which motion being duly seconded by Councilmember Gunderson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(Seal)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney

ATTEST: STEPHANIE LOPEZ, City Clerk
RESOLUTION APPROVING A THIRD AMENDMENT TO AGREEMENT WITH BROWN AND CALDWELL FOR FINAL DESIGN SERVICES FOR PRIMARY OUTFALL REHABILITATION PROJECT - PHASE III PROJECT IN AN AMOUNT NOT TO EXCEED $9,542, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE THIRD AMENDMENT TO AGREEMENT

WHEREAS, the City of Modesto owns and operates approximately 6.5 miles of 60-inch diameter pipeline that transports primary effluent from the Sutter Avenue Primary Water Quality Control Plant (Primary Plant) to the Jennings Road Secondary Plant (Secondary Plant), and

WHEREAS, the existing Primary Outfall Pipeline was constructed in 1969 across mainly agricultural land, and

WHEREAS, the condition of the Primary Outfall pipe has deteriorated due to internal corrosion, and

WHEREAS, the City adopted a Wastewater Master Plan (WWMP) in 2007, which also identified insufficient capacity in this pipe and called for the rehabilitation of the Primary Outfall, and

WHEREAS, due to the length of the pipeline, limited construction period, and the large number of property acquisitions required to perform the work, the project was divided into three phases, and

WHEREAS, Phase III will rehabilitate the City’s Primary Outfall Pipeline at the Secondary Wastewater Treatment Plant and Primary Wastewater Treatment Plant including the section under the San Joaquin River, and
WHEREAS, the project will provide a new structural lining while transforming the existing gravity pipeline to one that can accommodate projected wastewater flows and force main pressures, and

WHEREAS, the relining work will consist of CIPP, P-CIPP, and RPMP slip lining for approximately 1,059 ft, 600 ft, and 2,139 ft respectively, and

WHEREAS, additional work will include the removal of one cross connection between the Primary Outfall and Cannery Segregation Line, a new manhole with air/vacuum assembly, modifications to an existing junction box and appurtenances, and the replacement of a junction box with new air/vacuum assembly, and

WHEREAS, Brown and Caldwell (BC) is the consulting design engineer for the Primary Outfall Rehabilitation Project – Phase III, and was selected for final design services in 2011, and

WHEREAS, during the course of the Phase III design, BC provided other, unanticipated design-related tasks, which required an additional level of effort, and impacted the design schedule, including additional coordination with the state agencies, revisions to the project specifications, and coordination efforts and additional design work by BC, between the Primary Outfall Phase III Project and the Phase 2 BNR/Tertiary Treatment project contractor, and

WHEREAS, the overall result of this coordination will ultimately save the City money during construction, and

WHEREAS, as a result, approval of a third amendment to agreement of $9,542 is recommended to cover the additional work to the original scope, and
WHEREAS, staff recommends a Third Amendment to Agreement with BC, as the City does not have the staffing level or subject matter expertise to perform final design services for the Phase 2 Tertiary Project, and current workload levels do not provide for timely in-house solutions/responses,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a Third Amendment to Agreement with Brown and Caldwell for Final Design Services for Primary Outfall Rehabilitation – Phase III for an amount not to exceed $9,542.

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Burnside, who moved its adoption, which motion being duly seconded by Councilmember Gunderson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST:  

STEFANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By:  

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING AN AGREEMENT WITH BROWN AND CALDWELL FOR DESIGN SUPPORT DURING CONSTRUCTION FOR PRIMARY OUTFALL REHABILITATION PROJECT - PHASE III PROJECT IN AN AMOUNT NOT TO EXCEED $111,922 FOR THE IDENTIFIED SCOPE OF SERVICES, PLUS $11,192 FOR ADDITIONAL SERVICES (IF NEEDED), FOR A MAXIMUM TOTAL AMOUNT OF $123,114, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, the City of Modesto owns and operates approximately 6.5 miles of 60-inch diameter pipeline that transports primary effluent from the Sutter Avenue Primary Water Quality Control Plant (Primary Plant) to the Jennings Road Secondary Plant (Secondary Plant), and

WHEREAS, the existing Primary Outfall Pipeline was constructed in 1969 across mainly agricultural land, and

WHEREAS, the condition of the Primary Outfall pipe has deteriorated due to internal corrosion, and

WHEREAS, the City adopted a Wastewater Master Plan (WWMP) in 2007, which also identified insufficient capacity in this pipe and called for the rehabilitation of the Primary Outfall, and

WHEREAS, due to the length of the pipeline, limited construction period, and the large number of property acquisitions required to perform the work, the project was divided into three phases, and

WHEREAS, Phase III will rehabilitate the City’s Primary Outfall Pipeline at the Secondary Wastewater Treatment Plant and Primary Wastewater Treatment Plant including the section under the San Joaquin River, and
WHEREAS, the project will provide a new structural lining while transforming the existing gravity pipeline to one that can accommodate projected wastewater flows and force main pressures, and

WHEREAS, the relining work will consist of CIPP, P-CIPP, and RPMP slip lining for approximately 1,059 ft, 600ft, and 2,139 ft respectively, and

WHEREAS, additional work will include the removal of one cross connection between the Primary Outfall and Cannery Segregation Line, a new manhole with air/vacuum assembly, modifications to an existing junction box and appurtenances, and the replacement of a junction box with new air/vacuum assembly, and

WHEREAS, due to the size and complexity of the project, construction support services are needed to facilitate construction activities, and

WHEREAS, these support services will promote timely and successful construction of the facilities, while also reducing risk to the City, and

WHEREAS, therefore, Engineering Services During Construction (ESDC) work is being recommended by City staff, and will cover the construction of Primary Outfall Rehabilitation Project - Phase III, and

WHEREAS, Brown and Caldwell is the consulting design engineer for the Primary Outfall Rehabilitation Project – Phase III, and was selected for final design services in 2011, and

WHEREAS, upon successful completion of the design of the project, City staff requested and received a proposal from Brown and Caldwell for ESDC services, and

WHEREAS, the scope for ESDC includes General technical oversight of project activity, including review of submittals and shop drawings, review and response to
Requests for Information (RFIs) and change order requests, as-needed technical observation of construction activities, project start-up and close-out assistance, and As-built preparation, and

WHEREAS, staff has negotiated the scope and fees with Brown and Caldwell and believes the costs are reasonable for a project of this size and complexity, and

WHEREAS, based on the City’s need for these services and analysis of the proposed costs, staff is recommending approval of the agreement with Brown and Caldwell for construction support services of the Primary Outfall Rehabilitation Project – Phase III, and

WHEREAS, staff recommends an agreement with Brown and Caldwell, as the City does not have the staffing level or subject matter expertise to perform design support during construction for the Primary Outfall Rehabilitation Project – Phase III, and current workload levels do not provide for timely in-house solutions/responses,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an Agreement with Brown and Caldwell for Design Support During Construction for Primary Outfall Rehabilitation Project – Phase III for an amount not to exceed $111,922 for the identified scope of services, plus $11,192 for additional services (if needed), for a maximum total amount of $123,114.

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 8th day of January, 2013, by Councilmember Burnside, who moved its adoption, which motion being duly seconded by Councilmember Gunderson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney

ATTEST: STEPHANIE LOPEZ, City Clerk
RESOLUTION AUTHORIZING THE AWARD OF QUOTATION AND CONTRACT FOR THE PURCHASE AND INSTALLATION OF SYNTHETIC TURF WITH INFILL TO EMPIRE ASSOCIATES, INC., DBA SPRINTURF, ATLANTA, GA, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A CONTRACT FOR AN ESTIMATED TOTAL COST OF $1,005,460.46

WHEREAS, the Parks, Recreation and Neighborhoods Department (PRND) issued Request For Quotes (RFQ) No. 120612 Synthetic Turf at Mary E. Grogan Community Park to ten (10) prospective proposers, posted the RFQ on the City’s website and PlanetBids and formally advertised as required by law, and

WHEREAS, quotations were received and opened on December 19, 2012. Eight (8) synthetic turf manufacturers chose to respond, submitting twenty-one (21) responsive and responsible quotations, and

WHEREAS, based on ranking of the synthetic turf product on cost and performance in relation to base specifications, PRND staff recommends the award of quotation and contract for the purchase and installation of approximately 286,714 S.F. of synthetic turf and “Coolfill” infill to Empire Associates, Inc., dba Sprinturf, of Atlanta, GA, and

WHEREAS, Modesto Municipal Code Section 8-3.203 generally requires all purchases, which meet or exceed $50,000 for material, equipment or contractual services to be formally bid. The award of quotation and contract for the purchase and installation of approximately 286,714 S.F. of synthetic turf with “Coolfill” infill to Empire Associates, Inc., dba Sprinturf, of Atlanta, GA, conforms to the Modesto Municipal Code, and
WHEREAS, funds are budgeted in Parks CIP Account 100288.PRN.Park Planning and Development.CON.Construction (Mary E. Grogan Community Park).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the award of quotation and contract for the purchase and installation of approximately 286,714 S.F. of synthetic turf with infill to Empire Associates, Inc., dba Sprinturf, of Atlanta, GA.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute a contract for an estimated cost of $1,005,460.46.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Cogdill, 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: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST:  

(SEAL)

APPROVED AS TO FORM:

By:  

SUSANA ALCALA WOOD, City Attorney
RESOLUTION AMENDING THE FISCAL YEAR 2012-2013 OPERATING BUDGET AND CAPITAL IMPROVEMENT PROGRAM BUDGET IN ORDER TO TRANSFER CALIFORNIA INTEGRATED WASTE MANAGEMENT GRANT FUNDS, IN THE AMOUNT OF $150,000, INTO THE MARY E. GROGAN COMMUNITY PARK PROJECT, AND AUTHORIZING THE FINANCE DIRECTOR, OR HER DESIGNEE, TO AMEND THE BUDGET

WHEREAS, the City of Modesto received a grant from the California Integrated Waste Management Board in the amount of $150,000 to purchase and use California recycled tires in the Mary E. Grogan Community Park project, and

WHEREAS, the City Council, on April 24, 2012, by Resolution No. 2012-153, awarded the construction contract for the development of Phase I of the Mary E. Grogan Community Park, and

WHEREAS, Mary E. Grogan Community Park will have three (3) synthetic turf soccer fields and four (4) natural turf soccer fields, and

WHEREAS, the City is now ready to purchase and have installed the synthetic turf which will utilize California recycled tires for the cushioning infill material, and

WHEREAS, the grant from the California Waste Management Board will help fund the purchase of California recycled tires to be used for this project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an Amendment to the fiscal year 2012-2013 Operating budget and Capital Improvement Program budget in order to fund the Mary E. Grogan Community Park project.

BE IT FURTHER RESOLVED that the Finance Director, 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 8th day of January, 2013, by Councilmember Cogdill, 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: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]

SEAL

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
A RESOLUTION AMENDING RESOLUTION NOS. 2011-104 AND 2003-446, ADOPTING INTERIM FEES FOR OUTDOOR DINING ENCROCHMENT PERMITS, DIRECTING STAFF TO STUDY AND UPDATE THE FEES SPECIFIED IN THE OUTDOOR DINING ORDINANCE, AND RETURN TO THE CITY COUNCIL FOR CONSIDERATION

WHEREAS, the City Council of the City of Modesto has adopted various ordinances and resolutions authorizing the establishment of development user fees, and

WHEREAS, a Development User Fee Study was conducted in 2003 by Muni Financial, a Wildan Company, which recommended an update every five years, and

WHEREAS, the results and recommendations of the 2003 Development User Fee Study were adopted by Resolution No. 2003-446, and

WHEREAS, a Development User Fee Study was conducted in 2008 by Public Resource Management, and

WHEREAS, on November 23, 2009, the Finance Committee considered the 2008 Development User Fee Study and appointed a Comprehensive Fees Task Force for the purpose of coordinating all development related fee proposals and aligning all fee structures with the goals and policies of the General Plan and Strategic Plan, and

WHEREAS, the results of the 2011 Development User Fee Study and recommendations of the Comprehensive Fees Task Force were adopted by Resolution No. 2011-104, and

WHEREAS, Articles 1 and 2 of Chapter 15 of Title 4 of the Municipal Code (Outdoor Dining Ordinance) established regulations for outdoor dining in the public-right-of-way and includes fees for outdoor dining encroachment permits, and
WHEREAS, the outdoor dining fees were not updated as part of the Development User Fee Study and the Comprehensive Task force recommendations adopted by Resolution No. 2011-104, and

WHEREAS, on January 8, 2012, the City Council considered an update to Outdoor Dining Ordinance that removes all specific fee amounts from the Ordinance, and

WHEREAS, interim dining encroachment permit fees should be adopted by resolution, reviewed by staff to ensure the fees align with the goals and policies of the General Plan and Strategic Plan and reconsidered at a future date by the City Council, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the outdoor dining encroachment permits fees, attached as Exhibit A.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Council of the City of Modesto that it hereby directs staff to study and update the fees specified in the Outdoor Dining Ordinance and return to the City Council for consideration.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Burnside, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
Fiscal Year 2012-2013
Development Fee Schedule

Fees as of July 1, 2012
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Development Fee Schedule

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<td>$4,232.00</td>
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<tr>
<td>P-D Amendment (City Council approval)</td>
<td>$5,037.00</td>
</tr>
<tr>
<td>Rezone</td>
<td>$3,419.00</td>
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<tr>
<td>Prezone</td>
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<td>Development Agreement</td>
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<td>Development Agreement Amendment</td>
<td>$3,056.00</td>
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<tr>
<td>Precise Plan/Precise Plan Amendment</td>
<td>$5,037.00</td>
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<tr>
<td>Area Plan</td>
<td>$4,232.00</td>
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<tr>
<td>Annexation</td>
<td>$4,896.00</td>
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<tr>
<td><strong>Minor Zoning Actions</strong></td>
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</tr>
<tr>
<td>Conditional Use Permit with Development</td>
<td>$4,232.00</td>
</tr>
<tr>
<td>Conditional Use Permit without Development</td>
<td>$1,917.00</td>
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<tr>
<td>Conditional Use Permit in Single-Family Dwelling</td>
<td>$815.00</td>
</tr>
<tr>
<td>Conditional Use Permit, Signs and Cell Facilities</td>
<td>$1,560.00</td>
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<tr>
<td>Variance</td>
<td>$2,076.00</td>
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<tr>
<td>Variance for Single-Family Dwelling</td>
<td>$815.00</td>
</tr>
<tr>
<td>Exception</td>
<td>$2,076.00</td>
</tr>
<tr>
<td>Development Plan Review</td>
<td>$2,792.00</td>
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<tr>
<td>Development Plan Review, minor alterations &amp; cell facilities</td>
<td>$396.00</td>
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<tr>
<td>Development Plan Review, 2nd story review &amp; Incl. Family daycare</td>
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<tr>
<td>Final Development Plan (Planning Commission approval)</td>
<td>$4,232.00</td>
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<tr>
<td>Final Development Plan (Administrative approval)</td>
<td>$2,792.00</td>
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<tr>
<td>Plot Plan Review (Planning Commission/BZA approval)</td>
<td>$4,232.00</td>
</tr>
<tr>
<td>Minor Plan Revisions</td>
<td>$396.00</td>
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<tr>
<td><strong>Land Division</strong></td>
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<tr>
<td>Tentative Subdivision Map</td>
<td>$4,232.00</td>
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<tr>
<td>Tentative Parcel Map</td>
<td>$2,525.00</td>
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<tr>
<td>Lot Line Adjustment</td>
<td>$655.00</td>
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<tr>
<td><strong>General Plan/Specific Plan</strong></td>
<td></td>
</tr>
<tr>
<td>General Plan Amendment</td>
<td>$5,037.00</td>
</tr>
<tr>
<td>Specific Plan Review</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>Specific Plan Amendment (City Council approval)</td>
<td>$5,037.00</td>
</tr>
<tr>
<td>Specific Plan Amendment (Administrative approval)</td>
<td>$2,792.00</td>
</tr>
<tr>
<td><strong>Environmental Review</strong></td>
<td></td>
</tr>
<tr>
<td>Environmental Impact Report**</td>
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<tr>
<td>Mitigated Negative Declaration**</td>
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</tr>
<tr>
<td>Initial Study</td>
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<tr>
<td>Notice of Determination Filing Fees¹</td>
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<tr>
<td>Mitigated Negative Declaration</td>
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<td>State Department of Fish &amp; Game Fee</td>
<td>$2,101.50</td>
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<tr>
<td>County Clerk Recorder Fee</td>
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<tr>
<td>Environmental Impact Report</td>
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<td>State Department of Fish &amp; Game Fee</td>
<td>$2,919.00</td>
</tr>
<tr>
<td>County Clerk Recorder Fee</td>
<td>$57.00</td>
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<tr>
<td><strong>Miscellaneous</strong></td>
<td></td>
</tr>
<tr>
<td>Street/Alley Abandonment</td>
<td>$5,037.00</td>
</tr>
</tbody>
</table>
## CITY OF MODESTO
Community and Economic Development Department
Planning Division Fee Schedule
(209) 577-5267

**EFFECTIVE JULY 1, 2012 - JUNE 30, 2013**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time Extension (Planning Commission/BZA approval)</td>
<td>$1,230.00</td>
<td>Application</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Time Extension (Administrative approval)</td>
<td>$101.00</td>
<td>Application</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Director Determination (Administrative approval)</td>
<td>$101.00</td>
<td>Determination</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Williamson Act Cancellation</td>
<td>$1,889.00</td>
<td>Application</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Appeals of Administrative Decisions</td>
<td>$354.00</td>
<td>Appeal</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Referral of Plans to Planning Commission/BZA</td>
<td>$1,033.00</td>
<td>Referral</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Building Plan Check</td>
<td>$73.00</td>
<td>Plan Check</td>
<td>Permit Application</td>
</tr>
<tr>
<td>Address Change</td>
<td>$108.00</td>
<td>Application</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Zoning Verification Letter</td>
<td>$55.00</td>
<td>Letter</td>
<td>Time of Request</td>
</tr>
<tr>
<td>Copies, Maps, Subscriptions</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Documents</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Planning Commission Minutes(^2)</td>
<td>$30.00</td>
<td>Year</td>
<td>Annually (July 1(^*))</td>
</tr>
<tr>
<td>Planning Commission Agendas(^2)</td>
<td>$46.00</td>
<td>Year</td>
<td>Annually (July 1(^*))</td>
</tr>
<tr>
<td>Board of Zoning Adjustment Minutes(^2)</td>
<td>$20.00</td>
<td>Year</td>
<td>Annually (July 1(^*))</td>
</tr>
<tr>
<td>Board of Zoning Adjustment Agendas(^2)</td>
<td>$20.00</td>
<td>Year</td>
<td>Annually (July 1(^*))</td>
</tr>
<tr>
<td>Photocopies of an Official City Document and all other Reports and Documents(^2)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First Image</td>
<td>$0.35</td>
<td>Copy</td>
<td>Upon Pick-up</td>
</tr>
<tr>
<td>Additional Images</td>
<td>$0.15</td>
<td>Copy</td>
<td>Upon Pick-up</td>
</tr>
<tr>
<td>Maps, Zoning or Base(^2)</td>
<td>$9.00</td>
<td>Each</td>
<td>Upon Pick-up</td>
</tr>
</tbody>
</table>

### Division Endnotes
\(^1\) All checks for Notice of Determination Filing Fees must be made out to the Stanislaus County Clerk-Recorder.
\(^2\) Sales tax not included.

* Inflationary Adjustment of 1.30% applies to Development User Fees only.

** Time and Materials Fees:**
1. When multiple entitlement applications are filed for the same project and one or more of the applications is a time and materials fee, then the entire project shall be treated as a time and materials project for fee purposes.
2. When deposited funds drop below 50% of the initial deposit amount, then additional funds shall be required to be deposited in an amount to be determined by the Director. This requirement may be waived by the Director if it is determined that additional funds are not needed to complete the entitlements or the entitlements are inactive.
3. Once the project is completed, withdrawn or returned, the applicant shall be returned the balance of any remaining unused funds.

** Concurrent Processing:**
When two or more entitlement applications related to a single development proposal on the same parcel are submitted simultaneously, the application fees shall be the highest fee plus half of the fees for the remaining applications (exclusive of CEQA processing fees).

** Refunds (Non Time and Materials Fees):**
1. If an application is withdrawn or returned before it is deemed complete or within two weeks of submittal, whichever occurs first, then the applicant shall be entitled to a full refund.
2. If an application is withdrawn or returned after the initial period described above, but no later than six months after submittal and prior to scheduling for a hearing or an administrative decision, then the applicant shall be refunded half of the application fees submitted.
3. After six months from application submittal, or once an application has been scheduled for a public hearing or administrative decision, whichever occurs first, no refunds shall be given.

** Authority to determine fee when none exists:**
If an application is made for an entitlement where no fee has been established, then the Director shall determine the appropriate fee based on the adopted fees for similar entitlements requiring a similar process or amount of staff time.
CITY OF MODESTO  
Community and Economic Development Department  
Building Safety Division Fee Schedule  
(209) 577-5232  

EFFECTIVE JULY 1, 2012 - JUNE 30, 2013

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RESIDENTIAL FEES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Custom Residential Dwelling including Duplex (includes MPE)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small Residential Units including Granny flats up to 1,300 sf</td>
<td>$1,936.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Dwellings up to 5,000 sf</td>
<td>$2,837.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Dwellings 5,000 sf or greater</td>
<td>$2,837.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Residential Dwelling - Tract Homes (includes MPE)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Master Plan Review per Development</td>
<td>$2,068.00</td>
<td>Review</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Production Home</td>
<td>$1,908.00</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Residential Additions, Remodels, Minor Improvements and Repairs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additions less than or equal to 500 sf (includes MPE)</td>
<td>$1,511.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Additions &gt; 500 sf (includes MPE)</td>
<td>$2,029.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Residential Remodel - No structural review needed (includes MPE)</td>
<td>$703.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Improvements: Decks, Patio Enclosures and Covers, Carports, Covered Porch, etc.</td>
<td>$395.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Accessory Buildings: 120 to 500 sf (&gt; 500 sf, see Garage)</td>
<td>$521.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Garage</td>
<td>$760.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Roofing</td>
<td>$279.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Mobile Home Installation (Park Installation and permanent foundation)</td>
<td>$531.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td><strong>COMMERCIAL FEES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Construction (includes MPE)</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>New Building without interior improvements (Shell)</td>
<td>$4,600.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>New Building with Interior Improvements</td>
<td>$14,693.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Apartment/Condo</td>
<td>$4,614.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Hotel/Motel</td>
<td>$27,448.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Commercial Additions</td>
<td></td>
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<td></td>
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<tr>
<td>Up to 3,000 sf (includes MPE)</td>
<td>$2,140.00</td>
<td>Permit</td>
<td>Time of Application</td>
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<tr>
<td>Greater than 3,000 sf (includes MPE)</td>
<td>$2,140.00</td>
<td>Deposit</td>
<td>Time of Application</td>
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<tr>
<td>Commercial Remodels, Tenant Improvements, Minor Improvements and Repairs</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Tenant Improvement 500 to 3,000 sf (includes MPE)</td>
<td>$1,585.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Tenant Improvement &gt; 3,000 sf (includes MPE)</td>
<td>$1,930.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Minor Improvements and Remodels: Decks, Awnings, Single interior partition and demising walls, tenant improvements up to 500 sf</td>
<td>$1,061.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Accessory Buildings less than or equal to 500 sf (&gt; 500 sf, see Garage)</td>
<td>$521.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Garage (up to 720 sf and no occupancy)</td>
<td>$1,027.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Roofing</td>
<td>$445.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
</tbody>
</table>
### Building Safety Division Fee Schedule

#### CITY OF MODESTO
Community and Economic Development Department
Building Safety Division Fee Schedule
(209) 577-5232

**EFFECTIVE JULY 1, 2012 - JUNE 30, 2013**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessibility Review</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>ADA CBC Chapter 11 Accessibility Review</td>
<td>$185.00</td>
<td>Hour</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Certified Access Specialist Review and Inspection</td>
<td>$91.00</td>
<td>Hour</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Admin Processing Fee</td>
<td>$32.00</td>
<td>Review</td>
<td>Permit Issuance</td>
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**MISCELLANEOUS FEES**

<table>
<thead>
<tr>
<th>Mechanical Plumbing Electrical</th>
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<tbody>
<tr>
<td>Mechanical Plumbing Electrical - Minor¹</td>
<td>$192.00</td>
<td>Permit</td>
<td>Time of Application</td>
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<tr>
<td>Water Heater Replacement</td>
<td>$111.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Mechanical Plumbing Electrical - Commercial/Industrial</td>
<td>$814.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Electrical Photovoltaic - Residential</td>
<td>$265.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Electrical Photovoltaic - Commercial</td>
<td>$875.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Miscellaneous</td>
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<tr>
<td>Demolition</td>
<td>$240.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Signs (All types)</td>
<td>$255.00</td>
<td>Permit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Swimming Pools (All types)</td>
<td>$438.00</td>
<td>Permit</td>
<td>Time of Application</td>
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<tr>
<td>Vacant Building Registration (NPU)</td>
<td>$206.00</td>
<td>Application</td>
<td>Time of Application</td>
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<tr>
<td>Minimum Fee Permit²</td>
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<td>Time of Application</td>
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**Per Hour Rates³**

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<tr>
<th>Inspection</th>
<th>$172.00</th>
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<th>Prior to Final</th>
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<tr>
<td>Plan Review (Non-Structural)</td>
<td>$185.00</td>
<td>Hour</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Plan Review (Structural)</td>
<td>$203.00</td>
<td>Hour</td>
<td>Permit Issuance</td>
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<tr>
<td>General Plan Maintenance Recovery</td>
<td>$0.26</td>
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<td>$1,000 of Valuation</td>
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**Green Building Standards Fee**

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<tr>
<th>Permit Valuation</th>
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</thead>
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<tr>
<td>$1 - 25,000</td>
<td>$1.00</td>
<td>Permit</td>
<td>Permit Issuance</td>
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<tr>
<td>$25,001 - 50,000 Permit Valuation</td>
<td>$2.00</td>
<td>Permit</td>
<td>Permit Issuance</td>
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<tr>
<td>$50,001 - 75,000 Permit Valuation</td>
<td>$3.00</td>
<td>Permit</td>
<td>Permit Issuance</td>
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<tr>
<td>$75,001 - 100,000 Permit Valuation</td>
<td>$4.00</td>
<td>Permit</td>
<td>Permit Issuance</td>
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<tr>
<td>Every $25,000 or fraction thereof above $100,000 Permit Valuation</td>
<td>$1.00</td>
<td>Permit</td>
<td>Permit Issuance</td>
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</table>

**Strong Motion Tax - Commercial**

<table>
<thead>
<tr>
<th>Permit Valuation</th>
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<tbody>
<tr>
<td>$1,000 of Valuation</td>
<td>0.00021</td>
<td>Permit</td>
<td>Permit Issuance</td>
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</tbody>
</table>

**Strong Motion Tax - Residential**

<table>
<thead>
<tr>
<th>Permit Valuation</th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,000 of Valuation</td>
<td>0.00010</td>
<td>Permit</td>
<td>Permit Issuance</td>
</tr>
</tbody>
</table>

**Division Endnotes**

¹ Mechanical Plumbing Electrical - Minor: This fee includes, but is not limited to, HVAC replacements and new systems, plumbing repairs and maintenance, electrical circuitry for new lighting and electrical outlets, service changes and similar projects in residential and small commercial applications. Large commercial systems, such as boilers and advanced mechanical systems, will be assessed at the Mechanical Plumbing Electrical - Commercial/Industrial category.

² Minimum Fee Permit: This fee was established to provide the Building Safety Division flexibility in assisting citizens, contractors, designers, and developers with code compliance prior to issuance of a project permit and still recover the cost associated with this service. It is a non-refundable fee and includes, but is not limited to, one-stop inspection, code consultation, re-inspection fee and small projects that do not fit in the fee schedule.

³ Per Hour Charges: At the discretion of the Chief Building Official and/or the Community and Economic Development Director, an hourly charge may be applied to provide additional service not already covered by the original permit. It is a non-refundable fee and includes, but is not limited to, Plan Review for revisions of approved plans, unscheduled or out of sequence inspections, after hours inspections and re-inspections.
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-Family</td>
<td>$14,066.00</td>
<td>Dwelling Unit</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>$9,476.00</td>
<td>Dwelling Unit</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Senior Housing</td>
<td>$8,725.00</td>
<td>Dwelling Unit</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Non-Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hotel/Motel</td>
<td>$3,767.00</td>
<td>Room</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Retail</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;50,000 square feet</td>
<td>$10,305.00</td>
<td>1,000 sf</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>50,000 – 100,000 square feet</td>
<td>$8,627.00</td>
<td>1,000 sf</td>
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</tr>
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<td>100,000 – 300,000 square feet</td>
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<td>&gt;300,000 square feet</td>
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<td>Medical Office</td>
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<td>General Office</td>
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<td>Hospital</td>
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<tr>
<td>Daycare</td>
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<tr>
<td>Church</td>
<td>$1,776.00</td>
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<tr>
<td>Nursing Home</td>
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<tr>
<td>Industrial</td>
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<tr>
<td>Manufacturing</td>
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<td>Warehousing</td>
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<td>Sphere of influence Residential</td>
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<td>Multi-Family</td>
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<td>Senior Housing</td>
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<td>Hotel/Motel</td>
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<tr>
<td>Medical Office</td>
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<tr>
<td>General Office</td>
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<tr>
<td>Hospital</td>
<td>$8,951.00</td>
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<td>Permit Issuance</td>
</tr>
<tr>
<td>Daycare</td>
<td>$5,050.00</td>
<td>1,000 sf</td>
<td>Permit Issuance</td>
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<tr>
<td>Church</td>
<td>$1,215.00</td>
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<tr>
<td>Nursing Home</td>
<td>$1,709.00</td>
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<tr>
<td>Industrial</td>
<td></td>
<td></td>
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<tr>
<td>Manufacturing</td>
<td>$2,435.00</td>
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<td>Warehousing</td>
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<td>Description</td>
<td>Amount</td>
<td>Per</td>
<td>Due at</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
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<td>Community Facilities Districts (In General)</td>
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<td>Formation of Community Facilities District†</td>
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<td>Deposit</td>
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<td>Annexation into Existing Community Facilities District†</td>
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<td><strong>Deferral Agreements</strong></td>
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<td>Commercial, Industrial and Multi-Family Deferrals</td>
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<tr>
<td>Administrative Fee</td>
<td>$250.00</td>
<td>Agreement</td>
<td>Time of Application</td>
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<tr>
<td>Title Report Fee</td>
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<td>Title Report</td>
<td>Time of Application</td>
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<tr>
<td>Release of Lien†</td>
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<td>Wastewater Capacity Charge Deferral for Existing Single-Family Dwellings</td>
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<td>Administrative Fee</td>
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<tr>
<td>Title Report Fee</td>
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<td>Release of Lien†</td>
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<td>Prior to Release</td>
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<tr>
<td>Existing Residential Past Paid Unconnected Sewer Charge Deferrals</td>
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<tr>
<td>Administrative Fee</td>
<td>$250.00</td>
<td>Agreement</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Title Report Fee</td>
<td>$75.00</td>
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<td>Time of Application</td>
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<tr>
<td>Release of Lien†</td>
<td>$12.00</td>
<td>Release</td>
<td>Prior to Release</td>
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</table>

Division Endnotes

1 Deferred Payment Agreements are an elective deferral of Capital Facilities Fees, Water Connection Fees and/or Wastewater Capacity Fees. Fees listed are charged for the initiation and administration of Deferred Payment Agreements.

2 Charged by the Stanislaus County Clerk Recorder's Office.
### CITY OF MODESTO
Community and Economic Development Department
Infrastructure Financing Programs
Community Facilities District No. 1996-1 (Village One)
(209) 577-5211

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>**One-Time Facilities Special Tax (Annexed Properties)**¹</td>
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<td></td>
<td></td>
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<tr>
<td>Esta Estates Subdivision</td>
<td>$19,705.69</td>
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</tr>
<tr>
<td>Lawson's Twenty Subdivision</td>
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<tr>
<td>Villagio Subdivision</td>
<td>$16,029.90</td>
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<table>
<thead>
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<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
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<tbody>
<tr>
<td>**One-Time Facilities Special Tax (Non-Annexed Properties)**²</td>
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<td></td>
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<tr>
<td>Formation</td>
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<td>Village Residential</td>
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<td>Multi-Family Residential</td>
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<thead>
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<th>Description</th>
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<tbody>
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<td>Village Residential</td>
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<td>Village Low-Density Residential</td>
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<td>Multi-Family Residential</td>
<td>$162,286.08</td>
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<tr>
<td>Commercial</td>
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<td>Industrial</td>
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<td>Gross Acre</td>
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<table>
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<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
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<tbody>
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<td>All Other Annexations</td>
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<td>Permit Issuance</td>
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<td>Village Low-Density Residential</td>
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<td>Multi-Family Residential</td>
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<td>Commercial</td>
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<td>Permit Issuance</td>
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<td>Industrial</td>
<td>$86,358.98</td>
<td>Gross Acre</td>
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<table>
<thead>
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<th>Description</th>
<th>Amount</th>
<th>Per</th>
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<td><strong>Annual Maintenance Tax</strong>³</td>
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<tr>
<td>Developed Property</td>
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<tr>
<td>Very Low Density Residential</td>
<td>$238.99</td>
<td>Lot</td>
<td>Annually (Dec/Apr)</td>
</tr>
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<td>Village Residential</td>
<td>$238.99</td>
<td>Lot</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td>$155.16</td>
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<td>Commercial</td>
<td>$838.17</td>
<td>Gross Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Industrial</td>
<td>$838.17</td>
<td>Gross Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Undeveloped Property</td>
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<tr>
<td>Very Low Density Residential</td>
<td>$119.51</td>
<td>Lot</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Village Residential</td>
<td>$119.51</td>
<td>Lot</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td>$77.59</td>
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<td>Commercial</td>
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<td>Gross Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Industrial</td>
<td>$838.17</td>
<td>Gross Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
</tbody>
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---
¹ The One-Time Facilities Special Tax shall be collected prior to a final building permit inspection being completed or a certificate of occupancy being issued for new construction for any residential or non-residential structure within CFD No. 1996-1 and shall be immediately delinquent if not so paid.

² The One-Time Facilities Special Tax shall be collected prior to building permit issuance for new construction of any residential or non-residential structure on taxable property within the CFD.

³ The Annual Maintenance Special Tax is levied and collected at the same time as property taxes. It is a perpetual fee that pays for authorized services, administrative expenses not covered in the Annual Facilities Special Tax for the fiscal year, and cures delinquencies.
CITY OF MODESTO  
Community and Economic Development Department  
Infrastructure Financing Programs  
Community Facilities District No. 1997-1 (North Beyer Park)  
(209) 577-5211

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EFFECTIVE JULY 1, 2012 THROUGH JUNE 30, 2013</strong></td>
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<tr>
<td>One-Time Facilities Special Tax (Annexed Properties)¹</td>
<td>Paid</td>
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<tr>
<td>Single-Family Detached Residential</td>
<td>$129.99</td>
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<tr>
<td>Non-Residential</td>
<td>$6,596.93</td>
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<td>Permit Issuance</td>
</tr>
<tr>
<td><strong>One-Time Facilities Special Tax (Non-Annexed Properties)²</strong></td>
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<td></td>
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<tr>
<td>Very Low Density Residential</td>
<td>$123.80</td>
<td>Lot</td>
<td>Annually (Dec/Apr)</td>
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<td>Non-Residential</td>
<td>$612.80</td>
<td>Gross Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
</tbody>
</table>

Division Endnotes

¹ The One-Time Facilities Special Tax shall be collected prior to a final building permit inspection being completed or a certificate of occupancy being issued for new construction for any residential or non-residential structure within CFD No. 1997-1 and shall be immediately delinquent if not so paid.

² The One-Time Facilities Special Tax shall be collected prior to building permit issuance for new construction of any residential or non-residential structure on taxable property within the CFD.

³ The Annual Maintenance Special Tax is levied and collected at the same time as property taxes. It is a perpetual fee that pays for authorized services, administrative expenses not covered in the Annual Facilities Special Tax for the fiscal year, and cures delinquencies.
## City of Modesto

Community and Economic Development Department
Infrastructre Financing Programs
Community Facilities District No. 1998-2 (Carver/Bangs-Pelandale/Snyder)
(209) 577-5211

### Infrastructure Financing Programs

#### Community Facilities District No. 1998-2 (Carver/Bangs-Pelandale/Snyder)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
</table>
| **One-Time Facilities Special Tax (Annexed Properties)**
  Tax Area A (Carver/Bangs)  
  Calvary Chapel (APN 078-018-048)  
  $26,461.68 | Lot | Permit Issuance |
  Calvary Chapel (APN 078-018-047)  
  PAID | Lot |
  Calvary Chapel (APN 078-018-046)  
  PAID | Lot |
  **Tax Area B (Pelandale/Snyder)**  
  Big Valley Grace Community Church (APN 046-003-006)  
  $381,359.72 | Lot | Permit Issuance |
  Big Valley Grace Community Church (APN 046-003-013)  
  $761,038.35 | Lot | Permit Issuance |
  Happy Bee (APN 078-056-003)  
  $17,062.06 | Lot | Permit Issuance |
  Dale Road Professional Park (APN 078-066-013)  
  PAID |
  Dale Road Professional Park (APN 078-066-014)  
  PAID |
  Dale Road Professional Park (APN 078-066-016)  
  $26,095.13 | Lot | Permit Issuance |
  **One-Time Facilities Special Tax (Non-Annexed Properties)**
  Tax Area A (Carver/Bangs)  
  APN 078-018-002  
  $26,461.68 | Lot | Permit Issuance |
  APN 078-018-023  
  $421,910.48 | Lot | Permit Issuance |
  APN 078-018-024  
  $859,281.69 | Lot | Permit Issuance |
  APN 078-018-014  
  $671,964.00 | Lot | Permit Issuance |
  APN 046-007-015  
  $487,321.88 | Lot | Permit Issuance |
  APN 046-007-016  
  $538,462.54 | Lot | Permit Issuance |
  APN 046-007-018  
  $260,163.12 | Lot | Permit Issuance |
  APN 046-007-019  
  $573,845.89 | Lot | Permit Issuance |
  APN 046-007-020  
  $247,080.84 | Lot | Permit Issuance |
  Tax Area B (Pelandale/Snyder)  
  APN 078-018-006  
  $1,490,542.52 | Lot | Permit Issuance |
  APN 078-018-007  
  $785,004.57 | Lot | Permit Issuance |
  APN 078-018-008  
  $866,992.00 | Lot | Permit Issuance |
  APN 078-018-010  
  $1,012,475.84 | Lot | Permit Issuance |
  APN 046-007-017  
  $681,992.00 | Lot | Permit Issuance |
  APN 046-007-011  
  $754,731.21 | Lot | Permit Issuance |
  APN 046-007-012  
  $1,498,952.56 | Lot | Permit Issuance |
  APN 046-007-022  
  $548,704.53 | Lot | Permit Issuance |
  APN 046-007-009  
  $1,131,046.13 | Lot | Permit Issuance |
  APN 046-007-007  
  $584,024.22 | Lot | Permit Issuance |
  APN 046-007-006  
  $192,571.85 | Lot | Permit Issuance |
  APN 046-007-008  
  $782,903.22 | Lot | Permit Issuance |
  APN 046-003-002  
  $302,733.64 | Lot | Permit Issuance |
  APN 046-003-007  
  $761,038.35 | Lot | Permit Issuance |
  APN 046-003-009  
  $439,838.96 | Lot | Permit Issuance |

### Annual Maintenance Tax

#### Tax Area A (Carver/Bangs)

<table>
<thead>
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<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
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</table>
  Single-Family Residential  
  $196.48 | Unit | Annually (Dec/Apr) |
  Multi-Family Residential  
  $1,573.49 | Acre | Annually (Dec/Apr) |
  Non-Residential  
  $1,573.49 | Acre | Annually (Dec/Apr) |

#### Tax Area B (Pelandale/Snyder)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
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</table>
  Single-Family Residential  
  $153.19 | Unit | Annually (Dec/Apr) |
  Multi-Family Residential  
  $1,220.50 | Acre | Annually (Dec/Apr) |
  Non-Residential  
  $1,220.50 | Acre | Annually (Dec/Apr) |
  Chateau Provence  
  $25,705.42 | Subdivision | Annually (Dec/Apr) |

### Effective Dates

- **One-Time Facilities Special Tax (Annexed Properties)**: January 1, 2012 through December 31, 2012
- **One-Time Facilities Special Tax (Non-Annexed Properties)**: July 1, 2012 through June 30, 2013
The Facilities Special Tax shall be collected prior to a final building permit inspection being completed or a certificate of occupancy being issued for new construction (whichever occurs first) for any residential or non-residential structure within CFD No. 1998-2 and shall be immediately delinquent if not so paid.

The One-Time Facilities Special Tax shall be collected prior to building permit issuance for new construction of any residential or non-residential structure on taxable property within the CFD.

Beginning January 1999 and each January thereafter, the maximum Annual Maintenance Special Tax shall be increased by 4% of the amount in effect in the prior year. Each annual adjustment of the maximum Annual Maintenance Special Tax shall become effective on the subsequent July 1.
## CITY OF MODESTO
Community and Economic Development Department
Infrastructure Financing Programs
Community Facilities District No. 2000-2 (Coffee-Claratina)
(209) 577-5211

### Description

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annexation One-Time Special Tax¹</td>
<td>$</td>
<td>Lot</td>
<td>-</td>
</tr>
<tr>
<td>Arbor Lane 1 Subdivision</td>
<td>$</td>
<td>Lot</td>
<td>-</td>
</tr>
<tr>
<td>Arbor Lane 2 Subdivision</td>
<td>$</td>
<td>Lot</td>
<td>-</td>
</tr>
<tr>
<td>Claratina Estates Unit No. 1 Subdivision</td>
<td>$</td>
<td>Lot</td>
<td>-</td>
</tr>
<tr>
<td>Loretelli Manor Subdivision</td>
<td>$</td>
<td>Lot</td>
<td>-</td>
</tr>
<tr>
<td>Evergreen Subdivision</td>
<td>$</td>
<td>Lot</td>
<td>-</td>
</tr>
</tbody>
</table>

**EFFECTIVE JANUARY 1, 2012 THROUGH DECEMBER 31, 2012**

### Annual Maintenance Special Tax²

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Properties per Acre</td>
<td>$3,942.38</td>
<td>Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
</tbody>
</table>

**EFFECTIVE JULY 1, 2012 THROUGH JUNE 30, 2013**

### Division Endnotes

¹ Tax calculations for new subdivisions/projects will be done at the time the parcel is annexed to the CFD.

² The Annual Maintenance Special Tax is levied and collected at the same time as property taxes. It is a perpetual fee that pays for authorized services, administrative expenses not covered in the Annual Facilities Special Tax for the fiscal year, and cures delinquencies.
### Description

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>One-Time Special Tax</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zone 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annual Maintenance Special Tax¹</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZONE 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Maintenance Portion</td>
<td>$3,007.08</td>
<td>Lot</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Maximum Sinking Fund Portion (no escalator)</td>
<td>$126.00</td>
<td>Lot</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td><strong>TOTAL TAX TO BE LEVIED</strong></td>
<td>$3,133.08</td>
<td>Lot</td>
<td>Annually (Dec/Apr)</td>
</tr>
</tbody>
</table>

| ZONE 2                                           |         |     |                 |
| Developed Properties                             |         |     |                 |
| Maximum Maintenance Portion                      | $3,007.08 | Lot | Annually (Dec/Apr) |
| Maximum Sinking Fund Portion (no escalator)      | $126.00  | Lot | Annually (Dec/Apr) |
| **TOTAL TAX TO BE LEVIED**                       | $3,133.08 | Lot | Annually (Dec/Apr) |

| Undeveloped Properties                           |         |     |                 |
| Maximum Maintenance Portion                      | $3,007.08 | Lot | Annually (Dec/Apr) |
| Maximum Sinking Fund Portion (no escalator)      | $126.00  | Lot | Annually (Dec/Apr) |
| **TOTAL TAX TO BE LEVIED**                       | $3,133.08 | Lot | Annually (Dec/Apr) |

**EFFECTIVE JULY 1, 2012 THROUGH JUNE 30, 2013**

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**Division Endnotes**

¹ Beginning in January 2002, the maintenance portion of the maximum Annual Special Tax shall be adjusted annually by applying the greater of (i) the percentage increase, if any, in the construction cost index for the San Francisco region for the prior twelve (12) month period as published in the Engineering News Record or other comparable source if the Engineering News Record is discontinued or otherwise not available, or (ii) four percent (4.0%). Each annual adjustment of the maintenance portion of the maximum Annual Special Tax shall become effective on the July 1. The sinking fund portion of the maximum Annual Special Tax shall not escalate.
CITY OF MODESTO
Community and Economic Development Department
Infrastructure Financing Programs
Community Facilities District No. 2003-1 (Fairview Village)
(209) 577-5211

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>One-Time Facilities Special Tax</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Galas Brothers Subdivision Unit # 1</td>
<td></td>
<td>-</td>
<td>Lot</td>
</tr>
<tr>
<td>Galas Brothers Subdivision Unit # 2</td>
<td></td>
<td>-</td>
<td>Lot</td>
</tr>
<tr>
<td><strong>Annual Maintenance Special Tax</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Developed Properties</td>
<td></td>
<td>420.22</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Undeveloped Properties</td>
<td></td>
<td>420.22</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td><strong>Annual Facilities Special Tax</strong></td>
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<td></td>
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</tr>
<tr>
<td>Developed Properties</td>
<td></td>
<td>1,021.12</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Undeveloped Properties</td>
<td></td>
<td>1,021.12</td>
<td>Annually (Dec/Apr)</td>
</tr>
</tbody>
</table>

**Division Endnotes**

1. The Maximum One-Time Facilities Special Tax shall be collected prior to a building permit being issued for new construction of any residential or non-residential structure on Taxable Property within CFD No. 2003-1, and shall be immediately delinquent if not so paid.

NOTE: Upon issuance of all CFD 2003-1 (Fairview Village) building permits for new construction of any residential or non-residential structure, manually enter $0.00 for the CFO tax.

2. Beginning in Fiscal Year 2005-06 and each Fiscal Year thereafter, the Maximum Annual Facilities Special Tax shall escalate by 2.0% of the amount in effect in the prior Fiscal Year.

3. Beginning in January 2005 and each January thereafter, the Maximum Annual Maintenance Special Tax shall be adjusted annually by the greater of (i) the percentage increase, if any, in the construction cost index for the San Francisco region for the prior twelve (12) month period as published in the Engineering News Record or other comparable source if the Engineering News Record is discontinued or otherwise not available, or (ii) four percent (4%). Each annual adjustment of the Maximum Annual Maintenance Special Tax shall become effective on the subsequent July 1.
CITY OF MODESTO  
Community and Economic Development Department  
Infrastructure Financing Programs  
Community Facilities District No. 2004-1 (Village One #2)  
(209) 577-5211

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>One-Time Facilities Special Tax (Annexed Properties)</strong>&lt;sup&gt;1&lt;/sup&gt;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oakcrest Subdivision, APN 077-033-032 (93 Residential Lots)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>3400 Bob's Way, APN 077-033-011 (3.05 AC Commercial)</td>
<td>$251,868.59</td>
<td>Parcel</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Oakdale Park Subdivision, APN 077-033-013 (11 Residential Lots)</td>
<td>$9,034.44</td>
<td>Parcel</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Modesto Endoscopy Center, APN 077-033-009 (0.93 AC Commercial)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3032 Merle Avenue, APN 085-034-083 (existing home, remainder 53-PM-57)</td>
<td>$11,638.96</td>
<td>Parcel</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Merle Avenue Residential Lots, APNs 085-034-081, 085-034-082, 085-034-084</td>
<td></td>
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<tr>
<td>Shadow Creek Apartments, APN 085-002-034 (4.62 AC Multi-Family)</td>
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<tr>
<td>Shadow Creek Apartments, APN 085-002-035 (4.88 AC Multi-Family)</td>
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<tr>
<td>Village Ranch Unit #1 Subdivision, APN 077-008-031 (portion) (70 Residential Lots)</td>
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<tr>
<td>Village Ranch Unit #2 Subdivision, APN 077-008-031 (portion) (68 Residential Lots)</td>
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<tr>
<td>Hacienda Del Sol #1 Subdivision, APN 077-008-034 (portion) (86 Residential Lots)</td>
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<tr>
<td>Hacienda Del Sol #2 Subdivision, APN 077-008-034 (portion) (85 Residential Lots)</td>
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<td></td>
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<tr>
<td>Naraghi Multi-Family (on Hill Glen), APN 077-008-034 (portion) (10.60 AC Multi-Family)</td>
<td>$1,589,545.43</td>
<td>Parcel</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Kodiak Village II Subdivision, APN 077-009-014 and APN 077-009-056 (61 Residential Lots)</td>
<td>$8,967.73</td>
<td>Parcel</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Kodiak Village Subdivision, APN 077-009-057 (201 Residential Lots)</td>
<td>$8,679.11</td>
<td>Parcel</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Paramont Apartments on Merle, APN 085-013-067 (0.57 AC Multi-Family)</td>
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<tr>
<td>Paramont Apartments on Merle, APN 085-013-069 (0.57 AC Multi-Family)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>3424 Oakdale Road, APN 077-033-002 (1.12 AC Commercial)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<sup>1</sup> Effective July 1, 2012 through June 30, 2013.
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>3837 Merle Avenue, APN 085-007-018 (3.06 AC Residential)</td>
<td>$136,981.83</td>
<td>Parcel</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Kodiak Village III Subdivision, APN 077-009-055 (23 Residential Lots)</td>
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<td></td>
<td></td>
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<tr>
<td>Burkshe Estates I Subdivision, APN 085-001-061 (48 Residential Lots)</td>
<td>$11,326.56</td>
<td>Parcel</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Parcels 1 and 2 (within Burkshe Estates I Boundary), APN 085-051-003 (Formerly 3007 Esta Avenue)</td>
<td>$5,663.27</td>
<td>Parcel</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Failing Leaf Subdivision, APN 085-002-079 (314 Residential Lots)</td>
<td>$12,585.89</td>
<td>Parcel</td>
<td>Permit Issuance</td>
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<tr>
<td>Bhati Estates Subdivision, APN 085-050-001 (12 Residential Lots)</td>
<td>$18,952.65</td>
<td>Parcel</td>
<td>Permit Issuance</td>
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<tr>
<td>Sylvan Vet Clinic (Parcel 2), APN 084-002-053 (3500 Roselle Avenue)</td>
<td>$210,202.76</td>
<td>Parcel</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Sylvan Vet Clinic (Parcel 1), APN 084-002-048 (3520 Roselle Avenue)</td>
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<td></td>
</tr>
<tr>
<td>The Plaza Subdivision, APN 077-008-032 and APN 077-008-033 (165 Residential Lots)</td>
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<td></td>
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<tr>
<td>Hillglen Subdivision, APN 085-001-047 (38 Residential Lots)</td>
<td>$14,467.02</td>
<td>Parcel</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Burkshe Estates II Subdivision (1 of 2), APNs 085-001-017, 085-001-045 and 085-001-046 (52 Residential Lots)</td>
<td>PAID</td>
<td>Parcel</td>
<td>-</td>
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<tr>
<td>Cambrooke Estates Subdivision, APN 085-018-060 (8 Residential Lots - formerly Ramirez Estates)</td>
<td>$12,479.31</td>
<td>Parcel</td>
<td>Permit Issuance</td>
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<tr>
<td>Village One Plaza (Parcel 1), APN 085-009-006 (5.84 AC Commercial)</td>
<td>PAID</td>
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<tr>
<td>Village One Plaza (Parcel 2), APN 085-009-007 (0.74 AC Commercial)</td>
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<td>Parcel</td>
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<tr>
<td>Village One Plaza (Parcel 3), APN 085-009-008 (1.97 AC Commercial)</td>
<td>PAID</td>
<td>Parcel</td>
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<tr>
<td>Village One Plaza (Parcel 4), APN 085-009-009 (1.59 AC Commercial)</td>
<td>PAID</td>
<td>Parcel</td>
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<tr>
<td>Village One Plaza (Parcel 5), APN 085-009-010 (portion) (0.5 AC Commercial)</td>
<td>PAID</td>
<td>Parcel</td>
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</tr>
<tr>
<td>Village One Town Center - Apartments, APN 085-009-005 (portion) (1.36 AC Multi-Family - Housing Authority Project)</td>
<td>PAID</td>
<td>Parcel</td>
<td>-</td>
</tr>
<tr>
<td>Description</td>
<td>Amount</td>
<td>Per</td>
<td>Due at</td>
</tr>
<tr>
<td>------------------------------------------------------</td>
<td>---------</td>
<td>------</td>
<td>----------</td>
</tr>
<tr>
<td>Village One Town Center - Single Family Homes</td>
<td>$22,882.32</td>
<td>Parcel</td>
<td>Permit Issuance</td>
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<tr>
<td>APN 085-009-005 (portion) (35 Residential Lots - Housing Authority Project)</td>
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<tr>
<td>Tarantella Estates Subdivision</td>
<td>$15,533.47</td>
<td>Parcel</td>
<td>Permit Issuance</td>
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<tr>
<td>APN 085-001-010 (6 Residential Lots)</td>
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<tr>
<td>Berkshire Estates II Subdivision (2 of 2)</td>
<td>see Berkshire Estates II</td>
<td>Parcel</td>
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<tr>
<td>APN 085-001-045 (see tax amount above)</td>
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<tr>
<td>Hillglen/Sunrise Subdivision</td>
<td>$10,576.46</td>
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<td>Permit Issuance</td>
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<tr>
<td>APN 077-009-025 (59 Residential Lots)</td>
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<tr>
<td>Graham Estates Subdivision</td>
<td>$11,056.24</td>
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<td>Permit Issuance</td>
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<tr>
<td>APNs 085-033-066, 085-033-067 and 085-033-068 (24 Residential Lots)</td>
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<tr>
<td>Thomas Terrace Subdivision</td>
<td>$10,935.82</td>
<td>Parcel</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>APN 085-003-057 (20 Residential Lots)</td>
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</tr>
<tr>
<td>Village Corners (Parcel 1)</td>
<td>PAID Parcel</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>APN 085-062-001 (0.79 AC Commercial - formerly Pimentel)</td>
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</tr>
<tr>
<td>Village Corners (Parcel 2)</td>
<td>$86,756.63</td>
<td>Parcel</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>APN 085-062-002 (0.77 AC Commercial - formerly Pimentel)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Village Corners (Parcel 3)</td>
<td>PAID Parcel</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>APN 085-062-003 (0.75 AC Commercial - formerly Pimentel)</td>
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<tr>
<td>Village Corners (Parcel 4)</td>
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<tr>
<td>APN 085-062-004 (0.92 AC Commercial)</td>
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<tr>
<td>Village Ranch Apartments</td>
<td>PAID Parcel</td>
<td>-</td>
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</tr>
<tr>
<td>APN 077-008-030 (10.04 AC Multi-Family)</td>
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</tr>
<tr>
<td>Walgreens Commercial</td>
<td>PAID Parcel</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>APNs 085-050-006, 085-050-007, and 085-050-008 (Commercial)</td>
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</table>

**One-Time Facilities Special Tax (Non-Annexed Properties)**

<table>
<thead>
<tr>
<th>Tax Zone #1 (Formation – Annexation No. 5)</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Density Residential</td>
<td>$19,723.85</td>
<td>Net Taxable Acre</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Village Residential</td>
<td>$44,765.24</td>
<td>Net Taxable Acre</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td>$149,957.12</td>
<td>Net Taxable Acre</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Commercial</td>
<td>$77,023.82</td>
<td>Net Taxable Acre</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Industrial</td>
<td>$15,370.53</td>
<td>Net Taxable Acre</td>
<td>Permit Issuance</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Tax Zone #2 (Annexation No. 6 Forward)</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Density Residential</td>
<td>$28,939.74</td>
<td>Net Taxable Acre</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Village Residential</td>
<td>$65,680.62</td>
<td>Net Taxable Acre</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td>$220,022.45</td>
<td>Net Taxable Acre</td>
<td>Permit Issuance</td>
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<tr>
<td>Commercial</td>
<td>$113,012.23</td>
<td>Net Taxable Acre</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Industrial</td>
<td>$28,420.85</td>
<td>Net Taxable Acre</td>
<td>Permit Issuance</td>
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**Annual Facilities Special Tax**

<table>
<thead>
<tr>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Density Residential</td>
<td>$4,120.73</td>
<td>Net Taxable Acre</td>
</tr>
<tr>
<td>Village Residential</td>
<td>$7,504.48</td>
<td>Net Taxable Acre</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td>$8,461.72</td>
<td>Net Taxable Acre</td>
</tr>
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</table>
CITY OF MODESTO
Community and Economic Development Department
Infrastructure Financing Programs
Community Facilities District No. 2004-1 (Village One #2)
(209) 577-5211

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>$4,182.82</td>
<td>Net Taxable Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Industrial</td>
<td>$2,987.73</td>
<td>Net Taxable Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Annual Maintenance Special Tax¹</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Very Low Density Residential</td>
<td>$776.12</td>
<td>Net Taxable Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Village Residential</td>
<td>$1,822.78</td>
<td>Net Taxable Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td>$5,942.88</td>
<td>Net Taxable Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Commercial</td>
<td>$1,360.06</td>
<td>Net Taxable Acre</td>
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<tr>
<td>Industrial</td>
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Division Endnotes
¹ The Maximum One-Time Facilities Special Tax shall be collected prior to a building permit being issued for new construction of any residential or non-residential structure on Taxable Property within CFD No. 2004-1, and shall be immediately delinquent if not so paid.
² The One-Time Facilities Special Tax shall be collected prior to building permit issuance for new construction of any residential or non-residential structure on taxable property within the CFD.
³ The Annual Facilities Special Tax is levied and collected at the same time as property taxes until all bonds have been repaid and all facilities have been funded.
⁴ The Annual Maintenance Special Tax is levied and collected at the same time as property taxes. It is a perpetual fee that pays for authorized services, administrative expenses not covered in the Annual Facilities Special Tax for the fiscal year, and cures delinquencies.
CITY OF MODESTO  
Community and Economic Development Department  
Infrastructure Financing Programs  
Community Facilities District No. 2005-1 (Hetch Hetchy)  
(209) 577-5211

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Maximum One-Time Facilities Special Tax (Annexed Properties)¹</td>
<td>$</td>
<td>- Net Taxable Acre</td>
<td>-</td>
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<tr>
<td>Shelter Cove Community Church (APN 082-005-003)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Maximum Annual Maintenance Special Tax¹</td>
<td>$</td>
<td>- Net Taxable Acre</td>
<td>-</td>
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<td>Shelter Cove Community Church (APN 082-005-003)</td>
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</tr>
<tr>
<td>Maximum Annual Facilities Special Tax¹</td>
<td>$</td>
<td>- Net Taxable Acre</td>
<td>-</td>
</tr>
<tr>
<td>Shelter Cove Community Church (APN 082-005-003)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

EFFECTIVE JULY 1, 2012 THROUGH JUNE 30, 2013

¹ Tax calculations for new subdivisions/projects will be done at the time the parcel is annexed to the CFD.
² Per the development agreement between the City of Modesto and the Shelter Cove Community Church recorded on April 5, 2005: "City agrees that it shall not levy any tax against Shelter Cove for construction or maintenance of the CFD facilities until such time as any subsequent development in the CFD triggers the levy of the CFD tax."
CITY OF MODESTO  
Community and Economic Development Department  
Infrastructure Financing Programs  
Community Facilities District No. 2007-1 (North Beyer Park #2)  
(209) 577-5211

<table>
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<tbody>
<tr>
<td>**One-Time Facilities Special Tax (Annexed Properties)**¹</td>
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<td></td>
<td></td>
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<tr>
<td>APN 082-005-031 (Rose Villas)</td>
<td>$ 265,244.34</td>
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<tr>
<td>APN 082-025-002 (Parcel 2 of Parcel Map SS-PM-12)</td>
<td>$ 142,785.12</td>
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<tr>
<td>**Annual Maintenance Special Tax (Annexed Properties)**²</td>
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<tr>
<td>APN 082-005-031 (Rose Villas)</td>
<td>$ 43,912.73</td>
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<tr>
<td>APN 082-025-002 (Parcel 2 of Parcel Map SS-PM-12)</td>
<td>$ 23,638.93</td>
<td>Parcel</td>
<td>Annually (Dec/Apr)</td>
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</tbody>
</table>

**Division Endnotes**  
¹ The One-Time Facilities Special Tax shall be collected prior to a building permit being issued for new construction of any residential or non-residential structure within CFD No. 2007-1 and shall be immediately delinquent if not so paid.  
² The Annual Maintenance Special Tax is levied and collected at the same time as property taxes. It is a perpetual fee that pays for authorized services, administrative expenses not covered in the Annual Facilities Special Tax for the fiscal year, and cures delinquencies.
EFFECTIVE JULY 1, 2012 THROUGH JUNE 30, 2013

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<th>Due at</th>
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<tr>
<td>Maximum One-Time Facilities Special Tax (Annexed Properties)</td>
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<tr>
<td>APN 078-013-035</td>
<td>$62,206.06</td>
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<td>APN 078-069-010</td>
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<td>APN 078-069-011</td>
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</tr>
<tr>
<td>APN 078-069-012</td>
<td>$32,674.15</td>
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</tr>
<tr>
<td>APN 078-069-004</td>
<td>$14,148.27</td>
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<td>APN 078-069-005</td>
<td>$28,465.00</td>
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<tr>
<td>APN 078-069-006</td>
<td>$9,432.27</td>
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<td>APN 078-069-007</td>
<td>$15,664.40</td>
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<tr>
<td>APN 078-069-008</td>
<td>$32,844.95</td>
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</tr>
<tr>
<td>APN 078-069-009</td>
<td>$32,844.95</td>
<td>Lot</td>
<td>Permit Issuance</td>
</tr>
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</table>

| Annual Maintenance Special Tax | | | |
| APN 078-013-035 | $117,554.17 | Lot | Annually (Dec/Apr) |
| APN 078-069-010 | $2,602.57 | Lot | Annually (Dec/Apr) |
| APN 078-069-011 | $7,670.25 | Lot | Annually (Dec/Apr) |
| APN 078-069-012 | $246.67 | Lot | Annually (Dec/Apr) |
| APN 078-069-004 | $3,073.95 | Lot | Annually (Dec/Apr) |
| APN 078-069-005 | $2,608.20 | Lot | Annually (Dec/Apr) |
| APN 078-069-006 | $5,247.44 | Lot | Annually (Dec/Apr) |
| APN 078-069-007 | $1,894.05 | Lot | Annually (Dec/Apr) |
| APN 078-069-008 | $1,738.80 | Lot | Annually (Dec/Apr) |
| APN 078-069-009 | $5,930.54 | Lot | Annually (Dec/Apr) |
| APN 078-069-008 | $2,887.64 | Lot | Annually (Dec/Apr) |
| APN 078-069-009 | $6,054.76 | Lot | Annually (Dec/Apr) |

Division Endnotes
1 The One-Time Facilities Special Tax shall be collected prior to a final building permit being issued for new construction of any structure on Taxable Property within CFD No. 2007-2 and shall be immediately delinquent if not so paid.
2 Beginning in January 2008 and each January thereafter, the Maximum Annual Maintenance Special Tax assigned to each parcel shall be adjusted by the greater of (i) the percentage increase, if any, in the construction cost index for the San Francisco region for the prior twelve (12) month period as published in the Engineering News Record or other comparable source if the Engineering News Record is discontinued or otherwise not available, or (ii) four percent (4%). Each annual adjustment of the Maximum Annual Maintenance Special Tax shall become effective on the subsequent July 1.
## Description

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
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<tbody>
<tr>
<td><strong>EFFECTIVE JULY 1, 2012 THROUGH JUNE 30, 2013</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td><strong>Maximum One-Time Facilities Special Tax (Annexed Properties)</strong>&lt;sup&gt;1&lt;/sup&gt;</td>
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<tr>
<td>Single-Family</td>
<td>$16,472.74</td>
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<tr>
<td>Multi-Family</td>
<td>$-</td>
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<td>Business Park</td>
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<td>Office</td>
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<td>Permit Issuance</td>
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<td>Retail</td>
<td>$982,925.55</td>
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<td>Hotel</td>
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<td>Other</td>
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<td><strong>Annual Maintenance Special Tax</strong></td>
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<tr>
<td>Developed Property</td>
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<tr>
<td>Single-Family</td>
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<td>Multi-Family</td>
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<td>Business Park</td>
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<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Office</td>
<td>$1,360.91</td>
<td>Net Taxable Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Retail</td>
<td>$1,360.91</td>
<td>Net Taxable Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Hotel</td>
<td>$1,360.91</td>
<td>Net Taxable Acre</td>
<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Other</td>
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<td>Annually (Dec/Apr)</td>
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<tr>
<td>Undeveloped</td>
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<td>Annually (Dec/Apr)</td>
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<td><strong>Maximum Annual Facilities Special Tax</strong>&lt;sup&gt;2&lt;/sup&gt;</td>
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<td>Developed Property</td>
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<tr>
<td>Single-Family</td>
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<td>Multi-Family</td>
<td>$621.87</td>
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<td>Business Park</td>
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<td>Retail</td>
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<tr>
<td>Hotel</td>
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<tr>
<td>Other</td>
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<td>Annually (Dec/Apr)</td>
</tr>
<tr>
<td>Undeveloped Properties</td>
<td>$22,221.70</td>
<td>Net Taxable Acre</td>
<td>Annually (Dec/Apr)</td>
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</tbody>
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**Division Endnotes**

1 The One-Time Facilities Special Tax shall be collected prior to a final building permit being issued for new construction of any structure on Taxable Property within CFD No. 2009-1 and shall be immediately delinquent if not so paid. The tax is adjusted annually per SF ENR or 4% (whichever is greater).

2 Beginning with Fiscal Year 2010-11, and each Fiscal Year thereafter, the Maximum Annual Facilities Special Taxes shall be increased by two percent (2%) of the amount in effect in the prior Fiscal Year.

3 The Annual Maintenance Special Tax is levied and collected at the same time as property taxes. It is a perpetual fee that pays for authorized services, administrative expenses not covered in the Annual Facilities Special Tax for the fiscal year, and cures delinquencies. The tax is adjusted annually per SF ENR or 4% (whichever is greater).
CITY OF MODESTO
Community and Economic Development Department
Infrastructure Financing Programs
Community Facilities District No. 2012-1 (Kiernan Business Park South)
(209) 577-5211

<table>
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<td><strong>EFFECTIVE INCEPTION THROUGH DECEMBER 31, 2012</strong></td>
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<tr>
<td>Maximum One-Time Facilities Special Tax (Annexed Properties)</td>
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<tr>
<td>APN 078-018-021(2)</td>
<td>$1,366,444.00</td>
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<tr>
<td>APN 078-018-027</td>
<td>$1,820,564.00</td>
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<tr>
<td>APN 078-018-036</td>
<td>$2,978,303.00</td>
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<td>Permit Issuance</td>
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<tr>
<td>Maximum One-Time Facilities Special Tax (Non-Annexed Properties)</td>
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<td>APN 078-018-031</td>
<td>$2,978,303.00</td>
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<tr>
<td>APN 078-018-035</td>
<td>$3,065,114.00</td>
<td>Lot</td>
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<tr>
<td><strong>EFFECTIVE INCEPTION THROUGH JUNE 30, 2013</strong></td>
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<tr>
<td>Maximum Annual Maintenance Special Tax</td>
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<tr>
<td>APN 078-018-021(2)</td>
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<td>APN 078-018-027</td>
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<td>APN 078-018-031</td>
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<td>APN 078-018-035</td>
<td>$6,620,547.00</td>
<td>Developed Lot</td>
<td>Annually (Dec/Apr)</td>
</tr>
</tbody>
</table>

Division Endnotes
1 The One-Time Facilities Special Tax shall be collected prior to a final building permit being issued for new construction of any structure on Taxable Property within CFD No. 2012-1 and shall be immediately delinquent if not so paid. The tax is adjusted annually per SF ENR or 4% (whichever is greater). Beginning in January 2013 and each January thereafter, the Maximum One-Time Facilities Special Tax shall be adjusted annually by the greater of: (i) the percentage increase, if any, in the construction cost index for the San Francisco region for the prior twelve (12) month period as published in the Engineering News Record or other comparable source if the Engineering News Record is discontinued or otherwise not available; or (ii) four percent (4%). Each annual adjustment shall become effective on January 1 of the calendar year for which the annual adjustment was made.

2 At the time of CFD Formation, APN 078-018-021 was anticipated to be subdivided into two separate parcels based on a preliminary parcel map submitted to the City.

3 The Annual Maintenance Special Tax is levied and collected at the same time as property taxes. It is a perpetual fee that pays for authorized services and administrative expenses and cures delinquencies. The tax is adjusted annually per SF ENR or 4% (whichever is greater). The annual adjustment shall become effective on July 1 of the calendar year in which the adjustment was made.
<table>
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<td>Reversion to Acreage Check</td>
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<tr>
<td>Final Parcel Map Check</td>
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<tr>
<td>Final Subdivision Map Check</td>
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<tr>
<td>First 10 Lots</td>
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<td>Each Additional Lot</td>
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<td>Time of Application</td>
</tr>
<tr>
<td>Cost Estimate - $25,001 - $100,000</td>
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<td>Deposit</td>
<td>Time of Application</td>
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<td>Deposit</td>
<td>Time of Application</td>
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<td>Deposit</td>
<td>Time of Application</td>
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<tr>
<td>Cost Estimate - $500,001 - $1,000,000</td>
<td>$20,550.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Cost Estimate - over $1,000,000</td>
<td>$20,550.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Rough Grading Review**</td>
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<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Cost Estimate - $25,001 - $100,000</td>
<td>$4,000.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Cost Estimate - $100,001 - $250,000</td>
<td>$6,750.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Cost Estimate - $250,001 - $500,000</td>
<td>$11,350.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Cost Estimate - $500,001 - $1,000,000</td>
<td>$20,550.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Cost Estimate - over $1,000,000</td>
<td>$20,550.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>On-Site Storm Drain Review**</td>
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<tr>
<td>Cost Estimate - up to $25,000</td>
<td>$2,000.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Cost Estimate - $25,001 - $100,000</td>
<td>$4,000.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Cost Estimate - $100,001 - $250,000</td>
<td>$6,750.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Cost Estimate - $250,001 - $500,000</td>
<td>$11,350.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Cost Estimate - $500,001 - $1,000,000</td>
<td>$20,550.00</td>
<td>Deposit</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Cost Estimate - over $1,000,000</td>
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<td>Deposit</td>
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<td>Property Owner’s Association Document Check</td>
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<td>Certificate of Correction</td>
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<td>Summary Abandonment</td>
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<td>Street Signs (each intersection &amp; installed by City)</td>
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<tr>
<td>Legal Description Check</td>
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<td>Reciprocal Access Agreement Preparation</td>
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<td>Curbing, Curb Cuts - Drive Approach (100 l.f. max.)</td>
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</tr>
<tr>
<td>Curb and Curb Cuts - Drive Approach (100 l.f.) - Staking</td>
<td>$5.00</td>
<td>l.f.</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Curb and Curb Cuts - Drive Approach (100 l.f.) - Paving</td>
<td>$7.00</td>
<td>l.f.</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Stormwater Quality Review Fee**</td>
<td>$300.00</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>GIS Subdivision Mapping Fee</td>
<td>$294.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Microfilm Fee</td>
<td>$1.00</td>
<td>Page</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>As-Built Process Fee</td>
<td>$172.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>PUE and PE Dedication and Abandonment Fee</td>
<td>$466.00</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Microfilm Fee</td>
<td>$1.00</td>
<td>Page</td>
<td>Permit Issuance</td>
</tr>
</tbody>
</table>
## CITY OF MODESTO
Community and Economic Development Department
Land Development Engineering Division Fee Schedule
(209) 571-5569

EFFECTIVE JULY 1, 2012 - JUNE 30, 2013

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sidewalk (&lt; 100 ft.)</td>
<td>$223.00</td>
<td>Lot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Sewer Service from Lot to Main (9 - 10 ft.)</td>
<td>$80.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Sewer Main (50 ft.)</td>
<td>$80.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Sewer Main (50 ft.) - Staking</td>
<td>$1.00</td>
<td>lf.</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Sewer Main (50 ft.) - Paving</td>
<td>$7.00</td>
<td>lf.</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Storm Drain (through curb)</td>
<td>$172.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Utilities - Major Construction (9 - 10 ft.)</td>
<td>$80.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Utilities - Major Construction - Paving (5 - 7 ft.)</td>
<td>$7.00</td>
<td>lf.</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Utilities - Service and Repair (5 - 12 ft.)</td>
<td>$263.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Utilities - Service and Repair - Paving (5 - 7 ft.)</td>
<td>$7.00</td>
<td>lf.</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Temporary Street/Right-of-Way Closures</td>
<td>$294.00</td>
<td>Day</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Street Lights</td>
<td>$537.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Rockwells or Storm Drain Connectors (5 - 7 ft.)</td>
<td>$80.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Street Construction</td>
<td>$80.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Miscellaneous Improvements (5 - 7 ft.)</td>
<td>$80.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Install Refractor Steel Pole</td>
<td>$344.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Added Refractor Steel Pole</td>
<td>$344.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Install Utility Wood Pole Mount</td>
<td>$821.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Added Utility Wood Pole Mount</td>
<td>$851.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Install Street Light Standard</td>
<td>$314.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Soil Core Sample</td>
<td>$263.00</td>
<td>Each</td>
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</tr>
<tr>
<td>Monitoring/Extraction Well - Application Fee</td>
<td>$111.00</td>
<td>Each</td>
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<tr>
<td>Monitoring/Extraction Well - Inspection Fee</td>
<td>$92.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Application Pre-Inspection</td>
<td>$96.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Lane Closure Traffic Control Plan Review</td>
<td>$61.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Detour Traffic Control Plan Review</td>
<td>$122.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Outdoor Dining Permits</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Application Fee</td>
<td>$200.00</td>
<td>Application</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Barrier Removal Deposit (fixed barrier only)</td>
<td>$250.00</td>
<td>Application</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Annual Renewal Fee</td>
<td>$100.00</td>
<td>Permit</td>
<td>July 1st</td>
</tr>
<tr>
<td>Investigation of Site (14)</td>
<td>tbd.</td>
<td></td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Other Work Not Listed (15)</td>
<td>tbd.</td>
<td></td>
<td>Permit Issuance</td>
</tr>
</tbody>
</table>

### Trench Restoration

- **PCI Between 100 and 70 ft.** - Trench Depth over 4 feet
  \[
  (W+4) \times L \times SF \times $2.50
  \]
  Permit Issuance

- **PCI Between 100 and 70 ft.** - Trench Depth 4 feet or less
  \[
  (W+2) \times L \times SF \times $2.50
  \]
  Permit Issuance

- **PCI Between 69 and 26 ft.** - Trench Depth over 4 feet
  \[
  (W+4) \times L \times SF \times $1.25
  \]
  Permit Issuance

- **PCI Between 69 and 26 ft.** - Trench Depth 4 feet or less
  \[
  (W+2) \times L \times SF \times $1.25
  \]
  Permit Issuance

- **PCI Between 25 ft and 0 ft.**
  No Fee
  Permit Issuance

Permits are required for all work done in all public right-of-way, including public utility easements.
CITY OF MODESTO
Community and Economic Development Department
Land Development Engineering Division Fee Schedule
(209) 571-5569

EFFECTIVE JULY 1, 2012 - JUNE 30, 2013

Division Endnotes
** Time and Materials based fee.
1 Land Surveyor portion of charge will be on a Time and Materials basis because this effort varies significantly.
2 Significant additional connection fees apply.
3 Does not include Land Surveyor review cost. Land Surveyor time will be charged on a Time and Materials basis.
4 Additional fees charged if City employees perform paving or staking services.
5 For lots greater than 100’ frontage, each 100’ or part thereof is considered to be one “lot” (distance to be measured to nearest 100 feet).
6 Where no fee is shown, the work is to be performed by others as needed.
7 Chargeable only when paving is done by City. Developer/Owner shall repave all trenches, unless otherwise approved by the City Engineer.
8 Costs shall be paid for emergency or other work performed by City for public health and safety in addition to the following minimum charges:
   a. Cleanup or dust control $370.00 per street
   b. Temporary Paving $233.00 per street
   c. Temporary Barricades $142.00 each
9 A trench restoration fee of $2.50/sf is charged in addition.
10 Inspection to be charged on a Time and Materials basis.
11 Applicant shall pay an additional $3.75/lf for small laterals designed and drawn by the City.
12 Utility relocation required for City projects is not subject to a charge.
13 Improvements not otherwise listed such as water line extensions, irrigation lines, irrigation line replacements, storm drain lines, etc.
14 Uninitiated Street Work will be assessed a “double fee” penalty.
15 To be calculated by the Public Works Director and other pertinent staff in each instance, based on the actual cost of doing the work, including overhead.
16 $2.50 per sf of Trench Influence Area
17 $1.25 per sf of Trench Influence Area
18 Cost estimates over $1,000,000 will be required to place a deposit and replenish funds as they are exhausted.

NOTE: The following companies have executed Pavement Maintenance Agreements with the City of Modesto and are NOT subject to the Trench Restoration Fee:
   • AT&T
   • MID
   • PG&E
## CITY OF MODESTO
Community and Economic Development Department
Land Development Engineering Division
Water Related Fee Schedule
(209) 571-5569

**EFFECTIVE JULY 1, 2012 - JUNE 30, 2013**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Water Connection</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5/8” Service</td>
<td>$2,175.00</td>
<td>Connection</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>1” Service</td>
<td>$5,346.00</td>
<td>Connection</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>1 ½” Service</td>
<td>$10,873.00</td>
<td>Connection</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>2” Service</td>
<td>$17,395.00</td>
<td>Connection</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>3” Service</td>
<td>$34,789.00</td>
<td>Connection</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>4” Service</td>
<td>$54,359.00</td>
<td>Connection</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>6” Service</td>
<td>$108,717.00</td>
<td>Connection</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>8” Service</td>
<td>$171,947.00</td>
<td>Connection</td>
<td>Permit Issuance</td>
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<tr>
<td>10” Service</td>
<td>$250,049.00</td>
<td>Connection</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>12” Service</td>
<td>$467,482.00</td>
<td>Connection</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td><strong>Water Service Installation</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1” Service</td>
<td>$1,108.00</td>
<td>Installation</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>1 ½” Service</td>
<td>$1,130.00</td>
<td>Installation</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>2” Service</td>
<td>$1,156.00</td>
<td>Installation</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>4” Service</td>
<td>$2,131.00</td>
<td>Installation</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>6” Service</td>
<td>$2,131.00</td>
<td>Installation</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>8” Service</td>
<td>$2,347.00</td>
<td>Installation</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>10” Service or Larger</td>
<td>At Cost</td>
<td></td>
<td>Permit Issuance</td>
</tr>
<tr>
<td><strong>Water Main Installation - Residential, Commercial or Industrial</strong></td>
<td>$18.00</td>
<td>I.F.</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td><strong>Water Meter</strong></td>
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<tr>
<td>1” Meter/New Service – Pedestrian Lid</td>
<td>$115.00</td>
<td>Meter</td>
<td>Permit Issuance</td>
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<tr>
<td>1” Meter/New Service – Traffic Lid</td>
<td>$176.00</td>
<td>Meter</td>
<td>Permit Issuance</td>
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<tr>
<td>1” Meter/Retrofit Service – Pedestrian Lid</td>
<td>$520.00</td>
<td>Meter</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>1” Meter/Retrofit Service – Traffic Lid</td>
<td>$600.00</td>
<td>Meter</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>1 ½” Meter – Pedestrian Lid</td>
<td>$484.00</td>
<td>Meter</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>1 ½” Meter – Traffic Lid</td>
<td>$545.00</td>
<td>Meter</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>2” Meter – Pedestrian Lid</td>
<td>$520.00</td>
<td>Meter</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>2” Meter – Traffic Lid</td>
<td>$582.00</td>
<td>Meter</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>4” Meter</td>
<td>$1,620.00</td>
<td>Meter</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>6” Meter</td>
<td>$2,400.00</td>
<td>Meter</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>8” Meter</td>
<td>$3,350.00</td>
<td>Meter</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>10” Meter or Larger</td>
<td>At Cost</td>
<td></td>
<td>Permit Issuance</td>
</tr>
<tr>
<td><strong>Note</strong> – Services used ONLY for fire protection do not require a meter.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All other new services require a meter.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Fire Hydrant Installation</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hydrant Installation</td>
<td>$2,635.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Fire Hydrant Line from Main</td>
<td>$3.00</td>
<td>I.F.</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Pavement Replacement (if needed)</td>
<td>$465.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Deposit to Install Meter on Fire Hydrant for Construction Water</td>
<td>$500.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Fire Hydrant Meter Use Deposit</td>
<td>$500.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Fire Service Installation Inspection/Test</td>
<td>$90.00</td>
<td>Inspection</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Install 4” Single Check Valve</td>
<td>$390.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Install 6” Single Check Valve</td>
<td>$479.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Install 8” Single Check Valve</td>
<td>$688.00</td>
<td>Each</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td><strong>Voluntary Installation of Fire Sprinklers (Apartments)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.3% of normal charge</td>
<td></td>
<td></td>
<td>Permit Issuance</td>
</tr>
<tr>
<td><strong>Voluntary Installation of Fire Sprinklers (SFD, Duplexes, Townhouses)</strong></td>
<td>$50.00</td>
<td>Installation</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Fire Main Test</td>
<td>$90.00</td>
<td>Test</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Connection for Main Extension</td>
<td>$2,820.00</td>
<td>Connection</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Pavement</td>
<td>$445.00</td>
<td>Trench</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Outside City Limits Agreement</td>
<td>$203.00</td>
<td>Agreement</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Reimbursement Agreement Preparation</td>
<td>$1,874.00</td>
<td>Agreement</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Construction Water Fee</td>
<td>$164.04</td>
<td>Permit</td>
<td>Permit Issuance</td>
</tr>
</tbody>
</table>
Single-family residences qualify for the 5/8" connection fee only under the following conditions:

- Single story, single-family residences on a lot of 4,000 square feet or less.
- Two-story single-family residence on a lot of 4,000 square feet or less, provided the request for such a service is accompanied by a report from a licensed professional engineer that certifies that the 5/8" service is adequate to meet the needs of the proposed dwelling.
- A 5/8" "service" shall not be allowed for single-family dwellings of greater than 2 stories on lots less than 4,000 square feet.

Pays for the time and materials required to install the water service from the city water main to the property line. This fee is charged at the time the building permit or a separate water permit is issued for the construction of the water line on the property.

Pays for the construction of the specific main that extends down a public right of way to serve a specific property. Generally, this fee is charged at the time that the building permit is issued for the property. This fee applies to the old city area (Zone 1) and in the former Del Este area (Zone 2) where the City has significantly strengthened the infrastructure. This fee may be waived if the property owner has already participated in the cost of the water main serving the property.

Pays for the time required to connect a new water main to an existing "live" main for making the connection from a new subdivision to an existing water main. Generally, this fee is charged at the time the water permit is issued for the connection to an existing water main.

Pays for the time and materials required to install a fire hydrant in the public right-of-way. This fee is charged when a developer requests installation of a hydrant or hydrants. This fee is not charged for hydrants necessary to meet minimum spacing requirements.

Pays for the removal and replacement of pavement in the street or alley required for the installation of a water service. This fee is charged at the time that a building permit or water permit is issued for the construction of the water line on the property. This fee can be waived for dirt alleys or where the water line is located in an unimproved road or shoulder.

Pays for the time required to prepare an Outside City Limits Agreement, including review of costs and administrative preparation.

Pays for the time required to inspect the parcel in order to determine the square foot area to be used in determining the water connection charge. This fee is charged when a parcel, larger than 20,000 square feet, is currently using water on only a portion of the lot. The remaining acreage would be paid for at the time that future development takes place.

Pays for the time required to prepare a water reimbursement agreement, including review of costs and administrative preparation. Generally, this fee is charged immediately prior to the acceptance of the reimbursement agreement by the City Council. This fee is charged as directed by the Engineer.
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Wastewater Capacity Charge</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office Building (FLOW/BOD/TSS)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Office*</td>
<td>$ 1.69</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Medical/Dental Office</td>
<td>$ 3.72</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Medical Clinic</td>
<td>$ 6.26</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Dental Clinic</td>
<td>$ 3.04</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td><strong>Institutional (FLOW/BOD/TSS)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auditorium</td>
<td>$ 2.03</td>
<td>Seat</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Assembly Hall - Food Prepared Off-Site</td>
<td>$ 3.21</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Assembly Hall - Food Prepared On-Site</td>
<td>$ 5.09</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Church</td>
<td>$ 27.40</td>
<td>Seat</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Hospital</td>
<td>$ 4,229.07</td>
<td>Bed</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Institutional Residential Care Facility - 7 Beds or More*</td>
<td>$ 1,691.63</td>
<td>Bed</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Country Club - Non-Resident Member</td>
<td>$ 676.66</td>
<td>Capita</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Country Club - Resident Member</td>
<td>$ 1,691.63</td>
<td>Capita</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Picnic Park</td>
<td>$ 169.16</td>
<td>Capita</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Pool</td>
<td>$ 169.16</td>
<td>Capita</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Tennis Courts, Outdoor with Toilets and Showers</td>
<td>$ 1,860.79</td>
<td>Capita</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Tennis Courts, Indoor with Toilets and Showers</td>
<td>$ 4,905.72</td>
<td>Capita</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td><strong>Schools (FLOW/BOD/TSS)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>K-8</td>
<td>$ 84.58</td>
<td>Capita</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>High School/College</td>
<td>$ 169.16</td>
<td>Capita</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td><strong>Warehouse/Distribution (FLOW/BOD/TSS)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail/Commercial (FLOW/BOD/TSS)**</td>
<td>$ 0.51</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>General Retail/Commercial</td>
<td>$ 0.85</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Auto Body Shop/Auto Dealers</td>
<td>$ 1.86</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Bakeries</td>
<td>$ 10.45</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Beauty Shop/Day Spa (with wash sinks)</td>
<td>$ 4.57</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Bars without Dining</td>
<td>$ 5.92</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Bowling Alley (including dining)</td>
<td>$ 5.15</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Cafeteria</td>
<td>$ 8.31</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Car Wash</td>
<td>$ 16.41</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Coffee House — No Food Prep</td>
<td>$ 6.77</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Dry Cleaner</td>
<td>$ 0.85</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Dry Goods</td>
<td>$ 0.85</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Delicatessen, Sandwich Shop, Take-N-Bake Pizza</td>
<td>$ 11.07</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Donut Shop</td>
<td>$ 13.29</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Gyms, Health Clubs</td>
<td>$ 4.74</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Health Clubs — No Showers, Pool or Spa*</td>
<td>$ 3.55</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Market — Grocery</td>
<td>$ 2.37</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Market — Grocery (with bakery, food prepared on-site or garbage grinder)*</td>
<td>$ 2.37</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Mortuaries</td>
<td>$ 2.27</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Plant Nursery</td>
<td>$ 1.35</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Printers</td>
<td>$ 2.37</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Restaurant — Fast Food and Small Non-Franchise</td>
<td>$ 16.08</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Grease Interceptor</td>
<td>$ 11.53</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Restaurant — Full Service Franchise</td>
<td>$ 27.87</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Restaurant - Full Service Franchise with Grease Interceptor</td>
<td>$ 19.98</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Veterinary Hospital</td>
<td>$ 3.89</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Shopping Center – Up to 25% Dining</td>
<td>$ 6.20</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Shopping Center – Up to 50% Dining</td>
<td>$ 12.24</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Shopping Center – Up to 75% Dining</td>
<td>$ 19.46</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Laundries — Full Service (Dry Cleaners)</td>
<td>$ 19.76</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Laundry - Industrial</td>
<td>$ 2,342.96</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Laundries — Coin Operated</td>
<td>$ 2,199.12</td>
<td>Machine</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Laundries, Full Service Dry Cleaner</td>
<td>$ 10.37</td>
<td>Square Foot</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Hotels, Motels - Excluding bars and restaurants</td>
<td>$ 2,199.12</td>
<td>Room</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Recreational Vehicle Park</td>
<td>$ 2,029.95</td>
<td>RV Space</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Theaters</td>
<td>$ 25.54</td>
<td>Seat</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td><strong>Residential (FLOW/BOD/TSS)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-Family or Mobile Home on Lot</td>
<td>$ 4,905.72</td>
<td>Unit</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Multi-Family or Additional Unity or Mobile Home on Lot</td>
<td>$ 4,212.16</td>
<td>Unit</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Apartments or Mobile Home in Mobile Home Park</td>
<td>$ 3,197.18</td>
<td>Unit</td>
<td>Permit Issuance</td>
</tr>
</tbody>
</table>
CITY OF MODESTO  
Community and Economic Development Department  
Land Development Engineering Division  
Sewer Related Fee Schedule  
(209) 571-5569  

EFFECTIVE JULY 1, 2012 - JUNE 30, 2013

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtrunk Charge^2</td>
<td>$645.00</td>
<td>Gross Acre</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Reimbursement Agreement Preparation^4</td>
<td>$1,874.00</td>
<td>Agreement</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Outside City Limits Agreement^6</td>
<td>$203.00</td>
<td>I.f. of lot frontage</td>
<td>Permit Issuance</td>
</tr>
<tr>
<td>Lateral Charge^3</td>
<td>$33.00</td>
<td>adjacent to sewer line</td>
<td>Permit Issuance</td>
</tr>
</tbody>
</table>

**Division Endnotes**

1. Pays towards the construction of the Wastewater Treatment Plan and the sewer trunk system throughout the City. Generally, this fee is charged at the time that the building permit is issued for the construction of the house sewer lateral on the property.

2. Pays toward the construction and maintenance of the subtrunk lines. This fee is charged at the time the sewer service is made available to any subdivision, tract, area or lot in the Sewer District. In the case of new subdivisions or parcel maps, this charge shall be paid at the time of filing the final subdivision or parcel map. The Council may establish conditions under which the subtrunk sewer extension charges set forth in Section 5-6.803 may be spread over a period of time.

3. Pays towards the specific sewer lateral that extends down the street or alley serving the specific property. Generally, this fee is charged at the time the building permit is issued for the house sewer line on the property. This fee may be waived if the property owner has participated in the cost of the extension of the lateral down the street or alley.

4. Pays for the time required to inspect the parcel in order to determine the size of acreage to be used in calculating the Bond Redemption Charge and Subtrunk Fee. This fee charged when a parcel larger than 20,000 square feet is developing only a portion of the lot. The remaining acreage would be paid for at the time that the future development takes place on the remainder of the parcel.

5. Pays for the time required to prepare a Sewer Reimbursement Agreement, including review of costs and administrative preparation. Generally, this fee is charged immediately prior to the acceptance of the reimbursement agreement by the City Council. The fee is charged as directed by the Engineer.

6. Pays for the time required to prepare an Outside City Limits Agreement, including review of costs and administrative preparation. Generally, this fee is charged prior to the acceptance of the Agreement by the City Council.

7. Banks and title companies are considered General Office. Barbershops, nail salons and tattoo parlors without wash sinks are considered General Office.

8. The Wastewater Capacity charge is not applied to Residential Care Facilities of 6 or fewer beds.

9. School's head count is the total of staff and students.

10. Commercial Groups Combined BOD + TSS
    - Group 1 – 400 mg/l or less
    - Group 2 – 401 mg/l to 900 mg/l
    - Group 3 – 901 mg/l to 1,400 mg/l
    - Group 4 – 1,401 mg/l or more

11. Example: Martial Arts Facilities with no showers.

12. Estimated flow coefficient to be weighted average based on proportional square footage dedicated to each use.
**CITY OF MODESTO**  
Fire Department  
Fire Prevention Fee Schedule  
(209) 571-5553  

**EFFECTIVE JULY 1, 2012 - JUNE 30, 2013**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Plan Review</td>
<td>$ 102.00</td>
<td>Plan</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Plan Check, Complete Building</td>
<td>$ 79.00</td>
<td>1,000 sf</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Plan Check, Shell Building</td>
<td>$ 64.00</td>
<td>1,000 sf</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Plan Check, Sprinkler System</td>
<td>$ 24.00</td>
<td>1,000 sf</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Plan Check, Tenant Improvement</td>
<td>$ 24.00</td>
<td>1,000 sf</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Plan Check, Fire Alarm System</td>
<td>$ 52.00</td>
<td>1,000 sf</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Engineered/Pre-Engineered Protection System</td>
<td>$ 217.00</td>
<td>Plan</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Alternate Materials/Methods Evaluation</td>
<td>$ 306.00</td>
<td>Plan</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Incomplete or Changed Plans</td>
<td>$ 146.00</td>
<td>Plan</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Fire Alarm System Test and Inspection</td>
<td>$ 102.00</td>
<td>Plan</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Fire Sprinkler System Test and Inspection</td>
<td>$ 503.00</td>
<td>Riser</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Spray Booth Installation Permit</td>
<td>$ 48.00</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Underground Tank Installation (First tank)</td>
<td>$ 38.00</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Underground Tank Installation (additional tanks)</td>
<td>$ 13.00</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Convault Tank Installation (first tank)</td>
<td>$ 38.00</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Convault Tank Installation (additional tanks)</td>
<td>$ 9.00</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Field Fire Flow Test</td>
<td>$ 40.00</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Hood and Duct System Installation</td>
<td>$ 49.00</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Medical Gas System Installation</td>
<td>$ 102.00</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>On-Site Fire Main Test</td>
<td>$ 87.00</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
</tbody>
</table>
## Landscape Plan Review

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Plan Check (Up to 5,000 Square Feet)</td>
<td>$</td>
<td>Plan</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Check (Up to 5,000 Square Feet)</td>
<td>$</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Initial Plan Check (5,001 - 10,000 Square Feet)</td>
<td>$</td>
<td>Plan</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Check (5,001 - 10,000 Square Feet)</td>
<td>$</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Initial Plan Check (10,001 - 15,000 Square Feet)</td>
<td>$</td>
<td>Plan</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Check (10,001 - 15,000 Square Feet)</td>
<td>$</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Initial Plan Check (15,001 - 25,000 Square Feet)</td>
<td>$</td>
<td>Plan</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Check (15,001 - 25,000 Square Feet)</td>
<td>$</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Initial Plan Check (25,001 - 50,000 Square Feet)</td>
<td>$</td>
<td>Plan</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Check (25,001 - 50,000 Square Feet)</td>
<td>$</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Initial Plan Check (50,001 Square Feet and over)</td>
<td>$</td>
<td>Plan</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Check (50,001 Square Feet and over)</td>
<td>$</td>
<td>Each</td>
<td>Time of Application</td>
</tr>
</tbody>
</table>

## Landscape and Irrigation Inspections

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Per</th>
<th>Due at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Inspection (Up to 5,000 Square Feet)</td>
<td>$</td>
<td>Inspection</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Inspection (Up to 5,000 Square Feet)</td>
<td>$</td>
<td>Inspection</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Initial Inspection (5,001 - 10,000 Square Feet)</td>
<td>$</td>
<td>Inspection</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Inspection (5,001 - 10,000 Square Feet)</td>
<td>$</td>
<td>Inspection</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Initial Inspection (10,001 - 15,000 Square Feet)</td>
<td>$</td>
<td>Inspection</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Inspection (10,001 - 15,000 Square Feet)</td>
<td>$</td>
<td>Inspection</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Initial Inspection (15,001 - 25,000 Square Feet)</td>
<td>$</td>
<td>Inspection</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Inspection (15,001 - 25,000 Square Feet)</td>
<td>$</td>
<td>Inspection</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Initial Inspection (25,001 - 50,000 Square Feet)</td>
<td>$</td>
<td>Inspection</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Inspection (25,001 - 50,000 Square Feet)</td>
<td>$</td>
<td>Inspection</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Initial Inspection (50,001 Square Feet and over)</td>
<td>$</td>
<td>Inspection</td>
<td>Time of Application</td>
</tr>
<tr>
<td>Re-Inspection (50,001 Square Feet and over)</td>
<td>$</td>
<td>Inspection</td>
<td>Time of Application</td>
</tr>
</tbody>
</table>
CITY OF MODESTO
Other Development Related Fees

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stanislaus County Public Facilities Fees (PFF)</td>
<td></td>
</tr>
<tr>
<td>Contact Stanislaus County Building Department at</td>
<td></td>
</tr>
<tr>
<td>(209) 525-6557.</td>
<td></td>
</tr>
<tr>
<td>Modesto City School Fees</td>
<td></td>
</tr>
<tr>
<td>Contact Linda Ridenour with Modesto City Schools at (209) 576-4157 (Multi-Family and Commercial Developments only).</td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION DESIGNATING COUNCILMEMBER DAVE GEER TO SERVE AS VICE MAYOR FOR THE ENSUING YEAR PURSUANT TO SECTION 603 OF THE CHARTER OF THE CITY OF MODESTO

BE IT RESOLVED by the Council of the City of Modesto that Councilmember Dave Geer is hereby designated to serve as Vice Mayor for the ensuing year pursuant to Section 603 of the Charter of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of January, 2013, by Councilmember Cogdill, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]

STEFANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPOINTING FRANK PLOOF TO THE CITY OF MODESTO CITIZENS HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the Economic Development Committee met on November 13, 2012, and recommended appointment of Frank Ploof to the Citizens Housing and Community Development Committee.

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

SECTION 1. Frank Ploof is hereby appointed to the Citizens Housing and Community Development Committee with a term expiration of January 1, 2015.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the appointed member of the Citizens Housing and Community Development Committee, and the Secretary thereof.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22\textsuperscript{nd} day of January, 2013, by Councilmember Burnside, who moved its adoption, which motion being duly seconded by Councilmember Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Mayor Marsh

NOES: Councilmembers: Lopez

ABSENT: Councilmembers: Muratore

ATTEST: 

(SEAL)

APPROVED AS TO FORM:

By: 

SUSANA ALCALA WOOD, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2013-39

RESOLUTION APPOINTING MICAH RAPIER TO THE CITY OF MODESTO
HOUSING REHABILITATION AND LOAN COMMITTEE

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the
City Council to appoint members to various Boards and Commissions, and

WHEREAS, the Economic Development Committee met on January 14, 2013,
and recommended appointment of Micah Rapier to the Housing Rehabilitation and Loan
Committee.

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

SECTION 1. Micah Rapier is hereby appointed to the Housing Rehabilitation and
Loan Committee with a term expiration of January 1, 2015.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this
resolution to the appointed member of the Housing Rehabilitation and Loan Committee,
and the Secretary thereof.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 2013, by Councilmember Cogdill, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2013-40

A RESOLUTION APPROVING A FOURTH AMENDMENT TO THE AGREEMENT WITH DOKKEN ENGINEERING FOR THE PREPARATION OF THE PLANS, SPECIFICATIONS, AND ESTIMATES FOR THE STATE ROUTE 99/PELANDALE AVENUE INTERCHANGE RECONSTRUCTION PROJECT, IN AN AMOUNT NOT TO EXCEED $64,000, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE FOURTH AMENDMENT

WHEREAS, the State Route 99/Pelandale Interchange improvement project is a Caltrans project to address the traffic congestion problem at Pelandale Avenue and Highway 99 Interchange, and

WHEREAS, on March 9, 2010, the City Council, by Resolution No. 2010-90, approved an Agreement with Dokken Engineering for preparation of Plans, Specifications and Estimates (PS&E), and

WHEREAS, City staff requested a pre-award audit from the California Department of Transportation (Caltrans) and received a waiver of pre-award audit, and

WHEREAS, on February 22, 2011, the City Council, by Resolution No. 2011-044, approved an Amendment to the Agreement with Dokken Engineering, and

WHEREAS, on September 14, 2011 the City approved, a Second Amendment to the Agreement with Dokken Engineering to incorporate a Post Award Audit Clause to the Agreement, and

WHEREAS, on February 14, 2012 the City approved, a Third Amendment to the Agreement with Dokken Engineering to incorporate right of way engineering and acquisition services required in order to obtain Right of Way Certification, and

WHEREAS, City staff recommends a Fourth Amendment to the Agreement with Dokken Engineering to incorporate additional work required due to change in scope for phasing of State Route 99/Pelandale Avenue Interchange Reconstruction Project, and
NOW, THEREFORE, BE RESOLVED by the Council of the City of Modesto that it hereby approves a Fourth Amendment to the Agreement with Dokken Engineering for preparation of the Plans, Specifications and Estimates to include Right-of-Way engineering and acquisition services for the State Route 99/Pelandale Avenue Interchange Reconstruction Project in an amount not to exceed $64,000.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is here by authorized to execute the Fourth Amendment to the Agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

(SEAL)

APPROVED AS TO FORM:

By: 

SUSANA ALCALA WOOD, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2013-41

RESOLUTION AUTHORIZING THE AWARD OF BID FOR THE PURCHASE
OF CISCO SMARTNET MAINTENANCE FOR THE INFORMATION
TECHNOLOGY DEPARTMENT, TO NETWORK DYNAMICS, OLDSMAR, FL,
FOR A THREE YEAR TERM AND AUTHORIZING THE PURCHASING
MANAGER OR HIS DESIGNEE TO ISSUE A PURCHASE ORDER FOR AN
ESTIMATED TOTAL COST OF $110,070

WHEREAS, Cisco SmartNet Service is a technical support service that provides
City staff with direct, twenty-four (24) hour access to Cisco engineers and an extensive
range of technical resources. SmartNet delivers rapid issue resolution, flexible device-
by-device coverage, and premium service options to help maximize operational
efficiency, and

WHEREAS, the City Manager authorized the Purchasing Manager to issue a
formal Request for Bids (RFB) for the purchase of Cisco SmartNet Hardware
Maintenance for a three year term, and

WHEREAS, the Purchasing Division issued RFB No. 1213-11 Cisco SmartNet
Maintenance to twenty-one (21) prospective bidders, three (3) of which were local
vendors, posted the RFB on the City’s website, and

WHEREAS, bids were formally opened in the City Clerk’s office. One company
chose to respond and provided a responsive and responsible bid. No local vendors chose
to submit a bid, and

WHEREAS, based on providing a responsive and responsible bid, City staff
recommends the award of bid for the purchase of Cisco SmartNet Maintenance to
Network Dynamics, Oldsmar, FL, for a total estimated cost of $110,070, and
WHEREAS, Modesto Municipal Code (MMC) Section 8-3.203 generally requires all purchases, which meet or exceed $50,000 for material, equipment or contractual services, to be formally bid. The award of bid for the purchase of Cisco SmartNet Maintenance for the Information Technology Department, to Network Dynamics, Oldsmar, FL, conforms to code, and

WHEREAS, sufficient funds are budgeted annually in the following appropriation unit: 5230-07410-53100, 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 Cisco SmartNet Maintenance for the Information Technology Department, to Network Dynamics, Oldsmar, FL, for a three year term, and

BE IT FURTHER RESOLVED that the Purchasing Manager, or his designee, is hereby authorized to issue a purchase agreement for an estimated total cost of $110,070.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING AMENDMENT NO. 1 TO THE AGREEMENT WITH STORER TRANSIT SYSTEMS TO EXTEND THE MODESTO AREA DIAL-A-RIDE AGREEMENT THROUGH JUNE 27, 2014; AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AMENDMENT

WHEREAS, the City of Modesto entered into an agreement with Storer Transit Services (Storer) to operate the Modesto Area Dial-A-Ride transit service through June 28, 2013, and

WHEREAS, in an effort to save expenses the City wishes to procure a new operator through a joint procurement with the County of Stanislaus, and

WHEREAS, the County is currently working with the Riverbank Oakdale Transit Authority (ROTA) to consolidate both transit services and would like to study and evaluate the service changes before they incorporate the changes into the next contract procurement, and

WHEREAS, the County has asked the City of Modesto to delay the procurement for one year to accommodate the study,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves Amendment No. 1 to the Agreement with Storer Transit Services to extend the Modesto Area Dial-A-Ride Agreement through June 27, 2014.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is authorized to execute the Amendment.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT Councilmembers: None

ATTEST: [Signature]

(STEPHANIE LOPEZ, City Clerk)

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2013-43

RESOLUTION APPROVING AN AGREEMENT WITH ASSOCIATED RIGHT OF WAY SERVICES, INC. FOR ON-CALL APPRAISAL AND CONSULTANT SERVICES FOR CAPITAL IMPROVEMENT PROJECTS FOR ONE YEAR, WITH TWO ONE-YEAR EXTENSION OPTIONS, AT THE SOLE DISCRETION OF THE CITY, IN AN AMOUNT NOT TO EXCEED $30,000 PER YEAR, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT, AND UP TO TWO ONE-YEAR EXTENSION OPTIONS

WHEREAS, the Utility Planning and Projects Department (UP&P) and Community and Economic Development Department (C&EDD) undertake numerous capital improvement projects, many of which require professional appraisal opinions for the property acquisition portion of each project, and

WHEREAS, appraisal values, when approved by Council, establish just compensation, as required by law, for each property acquisition, and

WHEREAS, in compliance with Administrative Directive 3.1, Selection Procedures for Professional Consultants Who Provide Architectural and Engineering Services for Capital Projects, a Request for Qualifications and Proposals to perform on-call appraisal services was initiated, and

WHEREAS, the Request for Qualifications was sent to fourteen appraisal firms, and

WHEREAS, responses were received from nine firms who provided Qualification Statements and all responses were reviewed by a selection panel comprised of two staff members of UP&P and a third from C&EDD, and

WHEREAS, six consulting firms were selected for interviews, and

WHEREAS, the selection panel chose five firms as the most qualified and all have several years experience appraising properties for public improvement projects, and
WHEREAS, the five firms are deemed qualified to provide the requested on-call appraisal services in a timely, efficient and cost effective manner, and

WHEREAS, the selected firms are: Associated Right of Way Services, Inc., BC Valu, Inc., Bender Rosenthal, Inc., Burchard & Rinehart, and Hulberg & Associates, and

WHEREAS, Associated Right of Way Services, Inc. is based in Pleasant Hill and has over 23 years experience delivering property appraisals in Northern California, where it is one of the larger appraisal and acquisition consultant firms, and

WHEREAS, this firm has previously assisted the City of Modesto with several appraisal and acquisition projects as a firm on our recently expired on-call list, and

WHEREAS, Associated Right of Way Services, Inc. will charge the City a flat fee determined by each assignment for appraisal reports and when required, any additional consultant services based on its fee schedule, and

WHEREAS, no new budget allocation is required because funds for each project-specific task order under the agreement will be budgeted and encumbered as part of each specific Capital Improvement Program (CIP) project or other account as the task is assigned, and

WHEREAS, Associated Right of Way Services, Inc. will submit a written scope of services outlining the specific work, schedule, and fee estimate associated with each task order, and

WHEREAS, Associated Right of Way Services, Inc. will perform no service until Capital Improvement Services management has approved the proposed specific task order and a written Notice to Proceed is prepared and sent to Associated Right of Way Services, Inc. prior to commencement of services, and
WHEREAS, City staff recommends an On-Call Appraisal and Consultant Services Agreement with Associated Right of Way Services, Inc. be approved,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an Agreement with Associated Right of Way Services, Inc. for On-Call Appraisal and Consultant Services for Capital Improvement Projects for one year, with two one-year extension options at the sole discretion of the City in an amount not to exceed $30,000 per year. Total cost for three years is not to exceed $90,000.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute said Agreement with Associated Right of Way Services, Inc., and up to two one-year extension options.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

( SEAL )

APPROVED AS TO FORM:

By: 

SUSANA ALCALA WOOD, City Attorney

01/22/2013/UP&P/JYuriar/Item 10
RESOLUTION APPROPRIATING AN AGREEMENT WITH BC VALU, INC. FOR ON-CALL APPRAISAL AND CONSULTANT SERVICES FOR CAPITAL IMPROVEMENT PROJECTS FOR ONE YEAR, WITH TWO ONE-YEAR EXTENSION OPTIONS, AT THE SOLE DISCRETION OF THE CITY, IN AN AMOUNT NOT TO EXCEED $30,000 PER YEAR, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT, AND UP TO TWO ONE-YEAR EXTENSION OPTIONS.

WHEREAS, the Utility Planning and Projects Department (UP&P) and Community and Economic Development Department (C&EDD) undertake numerous capital improvement projects, many of which require professional appraisal opinions for the property acquisition portion of each project, and

WHEREAS, appraisal values, when approved by Council, establish just compensation, as required by law, for each property acquisition, and

WHEREAS, in compliance with Administrative Directive 3.1, Selection Procedures for Professional Consultants Who Provide Architectural and Engineering Services for Capital Projects, a Request for Qualifications and Proposals to perform on-call appraisal services was initiated, and

WHEREAS, the Request for Qualifications was sent to fourteen appraisal firms, and

WHEREAS, responses were received from nine firms who provided Qualification Statements and all responses were reviewed by a selection panel comprised of two staff members of UP&P and a third from C&EDD, and

WHEREAS, six consulting firms were selected for interviews, and

WHEREAS, the selection panel chose five firms as the most qualified and all have several years experience appraising properties for public improvement projects, and
WHEREAS, the five firms are deemed qualified to provide the requested on-call appraisal services in a timely, efficient and cost effective manner, and

WHEREAS, the selected firms are: Associated Right of Way Services, Inc., BC Valu, Inc., Bender Rosenthal, Inc., Burchard & Rinehart, and Hulberg & Associates, and

WHEREAS, BC Valu, Inc. is a Modesto firm in business since 1988, and

WHEREAS, this firm and its partner, Pacific Valley Appraisals, have previously performed work for the City, with Pacific Valley being on the City’s previous on-call list, and

WHEREAS, they have had a relationship with the City for approximately ten years, and their experience is broad and includes eminent domain appraisals, and

WHEREAS, BC Valu, Inc. will charge the City a flat fee determined by each assignment for appraisal reports and when required, any additional consultant services based on its fee schedule, and

WHEREAS, no new budget allocation is required because funds for each project-specific task order under the agreement will be budgeted and encumbered as part of each specific Capital Improvement Program (CIP) project or other account as the task is assigned, and

WHEREAS, BC Valu, Inc. will submit a written scope of services outlining the specific work, schedule, and fee estimate associated with each task order, and

WHEREAS, BC Valu, Inc. will perform no service until Capital Improvement Services management has approved the proposed specific task order and a written Notice to Proceed is prepared and sent to BC Valu, Inc. prior to commencement of services, and
WHEREAS, City staff recommends an On-Call Appraisal and Consultant Services Agreement with BC Valu, Inc. be approved,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an Agreement with BC Valu, Inc. for On-Call Appraisal and Consultant Services for Capital Improvement Projects for one year, with two one-year extension options at the sole discretion of the City in an amount not to exceed $30,000 per year. Total cost for three years is not to exceed $90,000.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute said Agreement with BC Valu, Inc. and up to two one-year extension options.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING AN AGREEMENT WITH BENDER ROSENTHAL, INC. FOR ON-CALL APPRAISAL AND CONSULTANT SERVICES FOR CAPITAL IMPROVEMENT PROJECTS FOR ONE YEAR, WITH TWO ONE-YEAR EXTENSION OPTIONS, AT THE SOLE DISCRETION OF THE CITY, IN AN AMOUNT NOT TO EXCEED $30,000 PER YEAR, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT, AND UP TO TWO ONE-YEAR EXTENSION OPTIONS

WHEREAS, the Utility Planning and Projects Department (UP&P) and Community and Economic Development Department (C&EDD) undertake numerous capital improvement projects, many of which require professional appraisal opinions for the property acquisition portion of each project, and

WHEREAS, appraisal values, when approved by Council, establish just compensation, as required by law, for each property acquisition, and

WHEREAS, in compliance with Administrative Directive 3.1, Selection Procedures for Professional Consultants Who Provide Architectural and Engineering Services for Capital Projects, a Request for Qualifications and Proposals to perform on-call appraisal services was initiated, and

WHEREAS, the Request for Qualifications was sent to fourteen appraisal firms, and

WHEREAS, responses were received from nine firms who provided Qualification Statements and all responses were reviewed by a selection panel comprised of two staff members of UP&P and a third from C&EDD, and

WHEREAS, six consulting firms were selected for interviews, and

WHEREAS, the selection panel chose five firms as the most qualified and all have several years experience appraising properties for public improvement projects, and
WHEREAS, the five firms are deemed qualified to provide the requested on-call appraisal services in a timely, efficient and cost effective manner, and

WHEREAS, the selected firms are: Associated Right of Way Services, Inc., BC Valu, Inc., Bender Rosenthal, Inc., Burchard & Rinehart, and Hulberg & Associates, and

WHEREAS, Bender Rosenthal, Inc. is a larger firm serving Northern California, and

WHEREAS, it is based in Sacramento and was established in 1991, and

WHEREAS, it is currently assisting the City with appraisal review and acquisition services for the Pelandale Avenue and Hwy 99 Intersection Project, and

WHEREAS, Bender Rosenthal, Inc. will charge the City a flat fee determined by each assignment for appraisal reports and when required, any additional consultant services based on its fee schedule, and

WHEREAS, no new budget allocation is required because funds for each project-specific task order under the agreement will be budgeted and encumbered as part of each specific Capital Improvement Program (CIP) project or other account as the task is assigned, and

WHEREAS, Bender Rosenthal, Inc. will submit a written scope of services outlining the specific work, schedule, and fee estimate associated with each task order, and

WHEREAS, Bender Rosenthal, Inc. will perform no service until Capital Improvement Services management has approved the proposed specific task order and a written Notice to Proceed is prepared and sent to Bender Rosenthal, Inc. prior to commencement of services, and
WHEREAS, City staff recommends an On-Call Appraisal and Consultant Services Agreement with Bender Rosenthal, Inc. be approved,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an Agreement with Bender Rosenthal, Inc. for On-Call Appraisal and Consultant Services for Capital Improvement Projects for one year, with two one-year extension options at the sole discretion of the City in an amount not to exceed $30,000 per year. Total cost for three years is not to exceed $90,000.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute said Agreement with Bender Rosenthal, Inc., and up to two one-year extension options.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

(Seal)

APPROVED AS TO FORM:

By: 

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING AN AGREEMENT WITH BURCHARD & RINEHART FOR ON-CALL APPRAISAL AND CONSULTANT SERVICES FOR CAPITAL IMPROVEMENT PROJECTS FOR ONE YEAR, WITH TWO ONE-YEAR EXTENSION OPTIONS, AT THE SOLE DISCRETION OF THE CITY, IN AN AMOUNT NOT TO EXCEED $30,000 PER YEAR, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT, AND UP TO TWO ONE-YEAR EXTENSION OPTIONS

WHEREAS, the Utility Planning and Projects Department (UP&P) and Community and Economic Development Department (C&EDD) undertake numerous capital improvement projects, many of which require professional appraisal opinions for the property acquisition portion of each project, and

WHEREAS, appraisal values, when approved by Council, establish just compensation, as required by law, for each property acquisition, and

WHEREAS, in compliance with Administrative Directive 3.1, Selection Procedures for Professional Consultants Who Provide Architectural and Engineering Services for Capital Projects, a Request for Qualifications and Proposals to perform on-call appraisal services was initiated, and

WHEREAS, the Request for Qualifications was sent to fourteen appraisal firms, and

WHEREAS, responses were received from nine firms who provided Qualification Statements and all responses were reviewed by a selection panel comprised of two staff members of UP&P and a third from C&EDD, and

WHEREAS, six consulting firms were selected for interviews, and

WHEREAS, the selection panel chose five firms as the most qualified and all have several years experience appraising properties for public improvement projects, and
WHEREAS, the five firms are deemed qualified to provide the requested on-call appraisal services in a timely, efficient and cost effective manner, and

WHEREAS, the selected firms are: Associated Right of Way Services, Inc., BC Valu, Inc., Bender Rosenthal, Inc., Burchard & Rinehart, and Hulberg & Associates, and

WHEREAS, Burchard & Rinehart has been established for over 28 years, and

WHEREAS, in the last 15 years this Walnut Creek firm has specialized almost exclusively in appraisals for public acquisition and litigation projects, and

WHEREAS, it has previously worked with City of Modesto eminent domain projects for outside legal firms assisting the City Attorney’s Office, and

WHEREAS, Burchard & Rinehart will charge the City a flat fee determined by each assignment for appraisal reports and when required, any additional consultant services based on its fee schedule, and

WHEREAS, no new budget allocation is required because funds for each project-specific task order under the agreement will be budgeted and encumbered as part of each specific Capital Improvement Program (CIP) project or other account as the task is assigned, and

WHEREAS, Burchard & Rinehart will submit a written scope of services outlining the specific work, schedule, and fee estimate associated with each task order, and

WHEREAS, Burchard & Rinehart will perform no service until Capital Improvement Services management has approved the proposed specific task order and a written Notice to Proceed is prepared and sent to Burchard & Rinehart prior to commencement of services, and
WHEREAS, City staff recommends an On-Call Appraisal and Consultant Services Agreement with Burchard & Rinehart be approved,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an Agreement with Burchard & Rinehart for On-Call Appraisal and Consultant Services for Capital Improvement Projects for one year, with two, one-year extension options at the sole discretion of the City in an amount not to exceed $30,000 per year. Total cost for three years is not to exceed $90,000.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute said Agreement with Burchard & Rinehart and up to two one-year extension options.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]

SEAL

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING AN AGREEMENT WITH HULBERG & ASSOCIATES, INC. FOR ON-CALL APPRAISAL AND CONSULTANT SERVICES FOR CAPITAL IMPROVEMENT PROJECTS FOR ONE YEAR, WITH TWO ONE-YEAR EXTENSION OPTIONS, AT THE SOLE DISCRETION OF THE CITY, IN AN AMOUNT NOT TO EXCEED $30,000 PER YEAR, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT, AND UP TO TWO ONE-YEAR EXTENSION OPTIONS

WHEREAS, the Utility Planning and Projects Department (UP&P) and Community and Economic Development Department (C&EDD) undertake numerous capital improvement projects, many of which require professional appraisal opinions for the property acquisition portion of each project, and

WHEREAS, appraisal values, when approved by Council, establish just compensation, as required by law, for each property acquisition, and

WHEREAS, in compliance with Administrative Directive 3.1, Selection Procedures for Professional Consultants Who Provide Architectural and Engineering Services for Capital Projects, a Request for Qualifications and Proposals to perform on-call appraisal services was initiated, and

WHEREAS, the Request for Qualifications was sent to fourteen appraisal firms, and

WHEREAS, responses were received from nine firms who provided Qualification Statements and all responses were reviewed by a selection panel comprised of two staff members of UP&P and a third from C&EDD, and

WHEREAS, six consulting firms were selected for interviews, and

WHEREAS, the selection panel chose five firms as the most qualified and all have several years experience appraising properties for public improvement projects, and
WHEREAS, the five firms are deemed qualified to provide the requested on-call appraisal services in a timely, efficient and cost effective manner, and

WHEREAS, the selected firms are: Associated Right of Way Services, Inc., BC Valu, Inc., Bender Rosenthal, Inc., Burchard & Rinehart, and Hulberg & Associates, and

WHEREAS, Hulberg & Associates, Inc. is a Modesto firm since 1987, and

WHEREAS, it began as Sierra Valuation Consultants and merged with Hulberg of Silicon Valley in 2007, and

WHEREAS, the merger provided Hulberg an office in the Central Valley, and Sierra Valuation benefited by adding twenty appraisers to its resources, and

WHEREAS, Hulberg has extensive experience with eminent domain appraisals, and

WHEREAS, Hulberg & Associates will charge the City a flat fee determined by each assignment for appraisal reports and when required, any additional consultant services based on its fee schedule, and

WHEREAS, no new budget allocation is required because funds for each project-specific task order under the agreement will be budgeted and encumbered as part of each specific Capital Improvement Program (CIP) project or other account as the task is assigned, and

WHEREAS, Hulberg & Associates will submit a written scope of services outlining the specific work, schedule, and fee estimate associated with each task order, and

WHEREAS, Hulberg & Associates will perform no service until Capital Improvement Services management has approved the proposed specific task order and a
written Notice to Proceed is prepared and sent to Hulberg & Associates prior to
commencement of services, and

WHEREAS, City staff recommends an On-Call Appraisal and Consultant
Services Agreement with Hulberg & Associates be approved,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto
that it hereby approves an Agreement with Hulberg & Associates for On-Call Appraisal
and Consultant Services for Capital Improvement Projects for one year, with two one-
year extension options at the sole discretion of the City in an amount not to exceed
$30,000 per year. Total cost for three years is not to exceed $90,000.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby
authorized to execute said Agreement with Hulberg & Associates and up to two one-year
extension options.

The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 22nd day of January, 2013, by Councilmember Lopez,
who moved its adoption, which motion being duly seconded by Councilmember
Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:
Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES:
Councilmembers: None

ABSENT:
Councilmembers: None

(SEAL)

ATTEST: STEPHANIE LOPEZ, City Clerk

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING AN AGREEMENT TO ENTER AND CONSTRUCT IMPROVEMENTS WITH AUTOZONE, INC. LOCATED AT 1901 PRESCOTT ROAD (PARCELS A & B OF 47-PM-2, APN: 005-082-037), FOR THE CONGESTION MITIGATION AIR QUALITY (CMAQ) MANAGEMENT CML 5059 (187) – PRESCOTT ROAD AND PLAZA PARKWAY PROJECT; AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT AND ALL RELATED DOCUMENTS

WHEREAS, the Congestion Mitigation Air Quality (CMAQ) Management CML 5059 (187) – Prescott Road and Plaza Parkway Project involves the expansion of Prescott Road to include a southbound right turn lane at the northwest corner of Prescott Road and Plaza Parkway and,

WHEREAS, the City of Modesto desires to construct a portion of the required improvements for a right turn lane at 1901 Prescott Road (Parcels A & B of 47-PM-2, APN: 005-082-037) owned by AutoZone, Inc. and,

WHEREAS, on March 1, 2012, Caltrans determined this project to be a categorical exclusion pursuant to the National Environmental Policy Act (NEPA) and all other applicable federal environmental law, regulations and executive orders and,

WHEREAS, the project is consistent and is in conformance to the General Plan Master E.I.R. and no additional California Environmental Quality Act clearance is needed and,

WHEREAS, the City requires an Agreement to Enter and Construct Improvements prior to allowing construction on subject property and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Agreement to Enter and Construct located at 1901 Prescott Road (Parcels A & B of 47-PM-2, APN: 005-082-037) owned by AutoZone, Inc. and,
BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the necessary grant documents.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]

SUSANNA ALCALA WOOD, City Attorney
RESOLUTION APPROVING AN AGREEMENT TO ENTER AND CONSTRUCT IMPROVEMENTS WITH PATRICK G. CORCORAN LOCATED AT 1901 PRESCOTT ROAD (PARCEL C OF 47-PM-2, APN: 005-082-036), FOR THE CONGESTION MITIGATION AIR QUALITY (CMAQ) MANAGEMENT CML 5059 (187) – PRESCOTT ROAD AND PLAZA PARKWAY PROJECT; AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT AND ALL RELATED DOCUMENTS

WHEREAS, the Congestion Mitigation Air Quality (CMAQ) Management CML 5059 (187) – Prescott Road and Plaza Parkway Project involves the expansion of Prescott Road to include a southbound right turn lane at the northwest corner of Prescott Road and Plaza Parkway and,

WHEREAS, the City of Modesto desires to construct a portion of the required improvements for a right turn lane at 1901 Prescott Road (Parcel C of 47-PM-2, APN: 005-082-036) owned by Patrick G. Corcoran and,

WHEREAS, on March 1, 2012, Caltrans determined this project to be a categorical exclusion pursuant to the National Environmental Policy Act (NEPA) and all other applicable federal environmental law, regulations and executive orders and,

WHEREAS, the project is consistent and is in conformance to the General Plan Master E.I.R. and no additional California Environmental Quality Act clearance is needed and,

WHEREAS, the City requires an Agreement to Enter and Construct Improvements prior to allowing construction on subject property and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Agreement to Enter and Construct located at 1901 Prescott Road (Parcel C of 47-PM-2, APN: 005-082-036) owned by Patrick G. Corcoran and,
BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the necessary grant documents.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

STEFANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2013-50

A RESOLUTION APPROVING AN AGREEMENT FOR SERVICES BETWEEN THE CITY OF MODESTO AND DISABILITY ACCESS CONSULTANT, INC. TO ASSIST THE CITY IN UPDATING THE 1992 SELF EVALUATION AND TRANSITION PLAN (IN AN AMOUNT NOT TO EXCEED $55,000), AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA), approved on July 26, 1990, prohibits discrimination against people with disabilities, and

WHEREAS, the ADA requires state and local government to prepare a Self-Evaluation and Transition Plan, and

WHEREAS, the City of Modesto completed a Self-Evaluation and Transition Plan in 1992, and

WHEREAS, the City of Modesto is updating the 1992 Self-Evaluation and Transition Plan, and

WHEREAS, a Request for Proposal was prepared seeking a qualified consultant to train, guide, and assist the City Staff in updating the 1992 Self-Evaluation and Transition Plan, and

WHEREAS, four consultants were interviewed and Disabilities Access Consultant, Inc. was selected as the most qualified consultant, and

WHEREAS, Self-Evaluation and Transition Plan update will be prepared primarily by the City Staff with assistance by the consultant, and
WHEREAS, the survey of city-owned facilities and buildings for ADA compliance will be done mostly by City Staff with training and guidance by the consultant, and

WHEREAS, the Parks, Recreation and Neighborhoods Department is responsible for 92 parks, facilities, buildings, and other city-owned sites, which are significantly more than any other department, determined it will be more efficient for a consultant to survey the Department’s sites, and

WHEREAS, Disability Access Consultant, Inc. will survey 31 priority sites for the Parks, Recreation and Neighborhoods Department as part of this agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Agreement for services between the City of Modesto and Disability Access Consultant, Inc. to assist the City in updating the 1992 Self-Evaluation and Transition Plan, in an amount not to exceed $55,000, and

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 5th day of February, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCAIRA WOOD, City Attorney
RESOLUTION AFFIRMING THE CITY'S CO-SPONSORSHIP OF THE 24TH ANNUAL EARTH DAY IN THE PARK FESTIVAL AND ON AN ONGOING BASIS FOR ALL FUTURE EARTH DAY IN THE PARK FESTIVALS AS AN ANNUAL EVENT AT GRACEADA PARK, AND ALLOWING FOR THE SALE OF MERCHANDISE IN GRACEADA PARK DURING THE DESIGNATED EVENT HOURS OF THE 24TH

WHEREAS, in 1970, Earth Day was established to make the public aware of programs successful in protecting the environment and conserving natural resources, and

WHEREAS, on March 24, 1993, the City Council, by Resolution No. 92-129, acknowledged “Earth Day in the Park” as an annual event, and

WHEREAS, the City of Modesto’s Solid Waste Division sponsors the event, and all subsequent annual “Earth Day in the Park” Festivals will be held on a Saturday in the month of April at Graceada Park, and

WHEREAS, the event provides a forum for merchants to display and sell their ‘environmentally friendly’ merchandise, and for the creation of a ‘festival atmosphere’, while giving the public an opportunity to make purchases that have positive benefit to the environment, and

WHEREAS, “Earth Day in the Park Festival, and approximately 8,000 attendees, and

WHEREAS, the Committee seeks ongoing Council approval for the sale of merchandise in the Park during the designated event hours of the 24th Annual Earth Day in the Park Festival at Graceada Park, and for all future Annual Earth Day in the Park Festivals co-sponsored by the City of Modesto, and
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby affirms on an ongoing basis the 24th Annual Earth Day in the Park Festival and all future Annual Earth Day in the Park Festivals co-sponsored by the City of Modesto at Graceada Park.

BE IT FURTHER RESOLVED by the Council that it hereby approves the sale of merchandise in the Park during the designated event hours of the 24th Annual Earth Day in the Park Festival at Graceada Park, and all future Annual Earth Day in the Park Festivals co-sponsored 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 5th day of February 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]

(STEPHANIE LOPEZ, City Clerk)

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
RESOLUTION IMPLEMENTING A 30-DAY SPACING POLICY FOR LIKE EVENTS BEING HELD AT MODESTO CENTRE PLAZA

WHEREAS, Modesto Centre Plaza opened as a multipurpose facility in 1988, and
WHEREAS, booking procedures regulate event booking, and
WHEREAS, said booking procedures allows Centre Plaza Management sole discretion on the spacing of like events, and
WHEREAS, recent events dictate a more specific timeframe between like events, and
WHEREAS, the Safety and Communities Committee met on January 9, 2013, and recommended a 30-day spacing policy between like events held at Modesto Centre Plaza.

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

SECTION 1. A 30-day between like events policy be adopted, and
SECTION 2. The 30-day policy be included in the Modesto Centre Plaza Booking Procedures.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 2013, by Councilmember Cogdill, who moved its adoption, which motion being duly seconded by Councilmember Gunderson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Cogdill, Geer, Gunderson, Lopez

NOES: Councilmembers: Burnside

ABSENT: Councilmembers: Muratore, Mayor Marsh

ATTEST: [Signature]

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
RESOLUTION RESCINDING A PURCHASE AGREEMENT AND ALL RELATED DOCUMENTS WITH CHANH MINH HUYNH AND SUONG TRAN, FOR A 735 SQUARE FEET PARCEL IN FEE, AND A 904 SQUARE FEET PORTION FOR A TEMPORARY CONSTRUCTION EASEMENT, OF A PARCEL LOCATED AT 1013 EMPIRE AVENUE (APN 035-048-014), IN THE AMOUNT OF $1,650, FOR THE EMPIRE AVENUE IMPROVEMENT PROJECT, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RESCIND THE AGREEMENT AND ANY RELATED DOCUMENTS.

WHEREAS, the City of Modesto’s Department of Housing & Urban Development (HUD) Annual Action Plan for Fiscal Year 2009-10 approved by the City Council, by Resolution #2009-555, on November 24, 2009 included the Empire Avenue Improvement Project, and

WHEREAS, this project will include the installation of curbs, gutters, sidewalks, and street lighting to improve pedestrian and roadway safety along Empire Avenue between Hillside Drive and Monterey Avenue, and

WHEREAS, as part of this project, sixteen parcels were identified for partial acquisition or temporary construction easements on Empire Avenue, and

WHEREAS, the City Council directed staff to proceed with acquiring property to facilitate the Empire Avenue Improvement project, and

WHEREAS, an offer of just compensation was presented to Chanh Minh Huynh and Suong Tran and subsequently accepted, and

WHEREAS, during a review by the title company prior to closing, certain title issues could not be resolved for the purchase of this acquisition, and

WHEREAS, City staff recommends rescinding the Purchase Agreement.
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto that it hereby rescinds the Purchase Agreement approved by Council Resolution 2011-344 on August 9, 2011, for a 735 square feet parcel in fee, and a 904 square feet portion for a Temporary Construction Easement, of a parcel located at 1013 Empire Avenue, Modesto, California (APN 035-048-014), in the amount of $1,650 for the Empire Avenue Improvement Project.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to rescind the Purchase Agreement and all related documents.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Cogdill, Muratore

ATTEST: ________________________________

STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ________________________________

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING A RIGHT-OF-WAY DEDICATION ON BEHALF OF THE PUBLIC BY THE CITY OF MODESTO FOR DEDICATION OF AN 882 SQUARE FEET PORTION OF A CITY-OWNED PARCEL LOCATED AT 805 EMPIRE AVENUE (APN 035-048-004) FOR THE EMPIRE AVENUE IMPROVEMENT PROJECT, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE RIGHT-OF-WAY DEDICATION AND ALL RELATED DOCUMENTS

WHEREAS, the City of Modesto has a project to improve Empire Avenue, between Hillside Drive and Monterey Avenue, with curbs, gutters, sidewalks and street lighting, and

WHEREAS, the project will improve pedestrian and traffic safety in a Neighborhood Revitalization Strategy Area (NRSA), and

WHEREAS, the project requires dedication of a portion of property of certain adjacent parcels to Empire Avenue, and

WHEREAS, the City parcel will be converted into the Airport Neighborhood Community Center, and

WHEREAS, the City of Modesto desires to dedicate an 882 square feet portion of the City parcel, located at 805 Empire Avenue, for the project, and

WHEREAS, City staff recommends approval of the dedication on behalf of the public for streets, public use and right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the dedication of an 882 square feet portion of the property located at 805 Empire Avenue (APN 035-048-004) for dedication to the right-of-way of Empire Avenue for the Empire Avenue Improvement Project.
BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to proceed with the dedication.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Cogdill, Muratore

ATTEST: 

SEAL

APPROVED AS TO FORM:

By: 

SUSANA ALCALA WOOD, City Attorney
RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN THE CERTIFICATE OF ACCEPTANCE FOR THE RIGHT-OF-WAY DEDICATION ON BEHALF OF THE PUBLIC OF A PORTION OF A CITY-OWNED PARCEL, (APN 035-048-004) TO BE USED FOR THE EMPIRE AVENUE IMPROVEMENT PROJECT

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 dedicate a portion of a parcel of land containing 882 square feet, for public roadway dedication, located at 805 Empire Avenue, owned by the City of Modesto (APN 035-048-004), for the Empire Avenue Improvement Project.

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 Right of Way Dedication, located at 805 Empire Avenue, owned by the City of Modesto (APN 035-048-004) for dedication to the Empire Avenue public roadway by the City of Modesto for the Empire Avenue Improvement Project.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Gunderson, Lopez, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Cogdill, Muratore

ATTEST: 

(SEAL)

APPROVED AS TO FORM:

By: 

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH RMC WATER AND ENVIRONMENT FOR ADDITIONAL CONSULTANT SERVICES TO COMPLETE THE INTEGRATED REGIONAL WATER MANAGEMENT PLAN IN AN AMOUNT NOT TO EXCEED OF $151,502, PLUS $15,151 FOR ADDITIONAL SERVICES (IF NEEDED), FOR A MAXIMUM TOTAL AMOUNT OF $166,653, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AMENDMENT TO AGREEMENT

WHEREAS, an Integrated Regional Water Management Plan (IRWMP) is a region-wide comprehensive management and planning document that identifies and focuses attention on regionally feasible projects that would make the best use of the area’s water, wastewater, and storm water resources, and

WHEREAS, an IRWMP is required to receive any state and/or federal funding for these regionally identified projects, and

WHEREAS, on June 22, 2010, by Resolution 2010-277, the Modesto City Council approved an Agreement with RMC Water and Environment (RMC) for consultant services to develop an IRWMP for the Cities of Modesto, Turlock, Ceres, and Hughson in an amount not to exceed $237,138, and

WHEREAS, a number of factors have made it necessary to extend the time and effort needed to complete the IRWMP beyond RMC’s original scope of work, and

WHEREAS, on December 7, 2012, RMC submitted an updated scope of work and subsequent fee estimate to complete the IRWMP in the amount of $151,502, and

WHEREAS, under a separate Council Action, the Cost Sharing Agreement between the Cities of Modesto, Turlock, Ceres, and Hughson is being amended to include the cost of the updated scope of work for completion of the IRWMP,
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an Amendment to the Agreement with RMC Water and Environment for additional consultant services to complete the Integrated Regional Water Management Plan in an amount not to exceed $151,502 plus $15,151 for additional services (if needed), for a maximum total amount of $166,653.

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

(SEAL)

APPROVED AS TO FORM:

By: 

SUSANA ALCALA WOOD, City Attorney
RESOLUTION APPROVING THE FIRST AMENDMENT TO THE COST SHARING AGREEMENT WITH THE CITIES OF CERES, HUGHSON, MODESTO, AND TURLOCK TO DEFRAI EXPENSES ASSOCIATED WITH PREPARATION OF AN INTEGRATED REGIONAL WATER MANAGEMENT PLAN IN AN AMOUNT NOT TO EXCEED $169,683, WHICH INCLUDES A 2% ADMINISTRATIVE COST REIMBURSEMENT, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE FIRST AMENDMENT TO AGREEMENT

WHEREAS, an Integrated Regional Water Management Plan (IRWMP) is a region-wide comprehensive management and planning document that identifies and focuses attention on regionally feasible projects that would make the best use of the area’s water, wastewater, and storm water resources, and

WHEREAS, an IRWMP is required to receive any state and/or federal funding for these regionally identified projects, and

WHEREAS, on June 22, 2010, by Resolution 2010-277, the Modesto City Council approved an Agreement with RMC Water and Environment (RMC) for consultant services to develop an IRWMP for the Cities of Modesto, Turlock, Ceres, and Hughson in an amount not to exceed $237,138, and

WHEREAS, also on June 22, 2010, by Resolution 2010-276, the Modesto City Council approved a Cost Sharing Agreement between these cities to share costs associated with RMC developing the IRWMP, and

WHEREAS, this Cost Sharing Agreement also stated that Modesto will front fund the project’s costs based on specific time frame reimbursement conditions, and

WHEREAS, a number of factors have made it necessary to extend the time and effort needed to complete the IRWMP beyond RMC’s original scope of work, and
WHEREAS, on December 7, 2012, RMC submitted an updated scope of work and subsequent fee estimate to complete the IRWMP in the amount of $151,502, and

WHEREAS, under a separate Council Action, RMC’s Agreement for consultant services is being amended to include the cost of the updated scope of work for completion of the IRWMP, and

WHEREAS, this First Amendment to the Cost Sharing Agreement is necessary to cover these additional costs to complete the IRWMP, and

WHEREAS, this First Amendment will also slightly adjust the cost split for the cities based on 2010/11 water and wastewater revenues. The Original Cost Sharing Agreement cost split was based on 2008/09 water and wastewater revenues,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a First Amendment to the Cost Sharing Agreement with the Cities of Ceres, Hughson, Modesto, and Turlock to defray expenses associated with the preparation of an Integrated Regional Water Management Plan in an amount not to exceed $169,683, which includes a 2% administrative cost reimbursement to the City of Modesto.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the First Amendment to Agreement.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(Seal)

ATTEST: [Signature]

STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
RESOLUTION FINDING THAT THE FOLLOWING SUBSEQUENT PROJECT IS WITHIN THE SCOPE OF THE PROJECT COVERED BY THE MODESTO URBAN AREA GENERAL PLAN MASTER ENVIRONMENTAL IMPACT REPORT (SCH NO. 2007072023): AMENDMENT OF SECTION 12-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, TO PROFESSIONAL OFFICE ZONE, P-O, PROPERTY LOCATED AT 3724 DALE ROAD (FRANKLIN VAN KONYENBURG)

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, Franklin Van Konynenburg has proposed an amendment of Section 12-3-8 of the Zoning Map of the City of Modesto to rezone from Low Density Residential Zone, R-1 to Professional Office Zone, P-O, property located at 3724 Dale Road, and

WHEREAS, pursuant to Section 21157.1 of the Public Resources Code, the City of Modesto’s Community & Economic Development Department prepared an Environmental Assessment Initial Study EA/C&ED 2012-26 ("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 January 16, 2013, 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 at a duly noticed public hearing which was held on February 5, 2013, 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 rezone, 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.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the Community & Economic Development 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 5th day of February 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Gunderson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Gunderson, Lopez

NOES: Councilmembers: None

ABSENT: Councilmembers: Cogdill, Muratore, Mayor Marsh

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
EXHIBIT A

Initial Study

EA/C&ED 2012-26
City of Modesto

Finding of Conformance to General Plan Master EIR:

Initial Study Environmental Checklist
C&ED No. 2012-26

For the proposed:
Dale Road Rezone from Low Density Residential, (R-1) to Professional Office, (P-O)

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

November 21, 2012

Updated: January 2012
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 the Dale Road Rezone to P-O 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: Dale Road Rezone to P-O

B. Address or Location: East side of Dale Road, opposite of Konynenburg Lane (APN 076-034-007)

C. Applicant: Franklin von Konynenburg

D. City Contact Person: Katharine Martin, Associate Planner

Project Manager: Katharine Martin
Department: Community and Economic Development Department, Planning Division
Phone Number: 209-577-5267
E-mail address: kamartin@modestogov.com

E. Current General Plan Designation(s): Mixed Use (MU)

F. Current Zoning Classification(s): Low Density Residential (R-1)

G. Surrounding Land Uses:
   North: Professional Office (P-O) Zone, vacant undeveloped land
   South: Planned Development Zone, P-D(399), convalescent care facility
   East: Single-Family Residential Uses
   West: R-1 Low Density Zone and Planned Development Zone, P-D(333) for professional office uses, vacant undeveloped land
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 applicant proposes to rezone a 3.68-acre parcel from Low Density Residential (R-1) Zone to the Professional Office (P-O) Zone. The site is semi-vacant with one 1,839 sq. ft. residence and two accessory structures. The applicant's representative has indicated that the owner intends to market the site for development of professional office uses. A future staff level approval (Development Plan Review) for any new development will be required if the rezoned is approved.

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.

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.

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.

Signed: [Signature]
Project Manager

Associate Planner
Title

11-19-12
Date
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>
</tr>
</thead>
<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>
</tr>
<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>
<td>⬜</td>
</tr>
<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>
<td>⬜</td>
</tr>
<tr>
<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>
<td>⬜</td>
</tr>
<tr>
<td>(5) The development will occur within the boundaries of the City's planning area as established in this Urban Area General Plan.</td>
<td>⬜</td>
</tr>
<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>
<td>⬜</td>
</tr>
</tbody>
</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>
<th>NO</th>
</tr>
</thead>
<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>
<td>⬜</td>
</tr>
<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>
</tr>
<tr>
<td>(b) No new information, which was not known and could not have been known at the time the Master EIR was certified as complete, has become available.</td>
<td>⬜</td>
</tr>
<tr>
<td>(c) Policies remain in effect which require site-specific mitigation, and avoidance or other mitigation of impacts as a prerequisite to future development.</td>
<td>⬜</td>
</tr>
</tbody>
</table>
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 1-7, pages V-1-32 to V-1-34) 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 1-6, page V-1-31).

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-1-28. 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>
</tr>
</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>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<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>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<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>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<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>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>5) The proposed project would result in less parking than required by the Municipal Code or as determined by staff.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<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, the Bicycle Action Plan, and so on.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
2) 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.

Discussion:

(1-7) The proposed project to rezone from R-1 Low-Density Residential to P-O Professional Office is consistent with the Urban Area General Plan and the site’s General Plan Land Use designation of MU “Mixed Use”, which assumed traffic generation consistent with the type and intensity of uses that would be permitted by this rezoning. The site is semi-vacant with one residence and two accessory buildings; however, future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards for site access to and from adjacent streets, internal circulation and parking.

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-2-27).

Effect: Expected automobile traffic will result in increased emissions of particulate matter 10 microns or less (PM10) and 2.5 microns or less in diameter (PM2.5) (see MEIR Table 2-8, page V-2-27).

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-2-27).

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, PM10, and PM2.5.

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-2-13 through V-2-24 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 application is a proposal to rezone the subject property from the R-1 Zone to the P-O Zone. The appropriate mitigation to be applied to any future development of the site includes: AQ-40 and AQ-42 through AQ-56 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-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>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed project exceeds the project-level emissions thresholds established for CO, ROG, NO\textsubscript{x}, PM\textsubscript{10}, and PM\textsubscript{2.5} 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>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>2) The proposed project does not incorporate the best management practices established by the SJVAPCD for CO, ROG, NO\textsubscript{x}, PM\textsubscript{10}, and PM\textsubscript{2.5}.</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>
<td>☐</td>
<td>☐</td>
<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>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</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) The proposed project to rezone from R-1 Low Density Residential to P-O Professional Office is consistent with the Urban Area General Plan and the site's General Plan Land Use designation of MU "Mixed Use", which assumed traffic volumes and emissions consistent with the type and intensity of professional office uses that would be permitted by this rezoning.
(2) Any future development at the site will be required to adhere to applicable City Zoning Ordinances, Standards, and applicable best management practices during the construction process.

(3) The proposed project to rezone from R-1 Low Density Residential to P-O Professional Office is consistent with the Urban Area General Plan and the site's General Plan Land Use designation of MU "Mixed Use". The Mixed Use land use designation allows for uses as permitted within the P-O Zone.

(4-5) Any future development at the site will be required to adhere to applicable City Zoning Ordinances, Standards, and applicable best management practices during the construction process.

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-3-10, and Figure VII-2 and Table 3-6, pages V-3-18 and V-3-19).

**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 CNEl and up to eight dwellings to noise levels of 70 dB CNEl.

**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-3-11 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 application is a proposal to rezone the subject property from R-1 Low Density Residential to the P-O Professional Office Zone. No development is proposed with the application. The appropriate mitigation to be applied to any future development of the site includes: N-1 and N-2 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 application is a proposal to rezone the subject property from R-1 Low Density Residential to the P-O Professional Office Zone to facilitate future development of the site. No development is proposed with the application. Any future development would be required to adhere to the City’s noise ordinance.

(2-4) The proposed project to rezone the subject property from R-1 Low Density Residential to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site’s General Plan Land Use designation of MU “Mixed Use”. No development is proposed with the application; however, any increase in ambient noise levels would be construction-related and temporary. Any future development would be required to adhere to the City’s noise ordinance.
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:

No new or additional mitigation measures or alternatives are required.

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>RZN-12-003: Finding of Conformance City of Modesto General Plan Master EIR</td>
<td>Initial Study EA No. 2012-26 November 21, 2012</td>
<td>12</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
<td>Less Than Significant with Mitigation Incorporated</td>
<td>Less Than Significant Impact</td>
<td>No Impact</td>
</tr>
<tr>
<td>---</td>
<td>-------------------------------</td>
<td>-------------------------------------------------</td>
<td>-----------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>1)</td>
<td>The proposed project is inconsistent with the Urban Area General Plan's policies relating to agricultural land.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>2)</td>
<td>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>
</tr>
<tr>
<td>3)</td>
<td>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>
</tr>
<tr>
<td>4)</td>
<td>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>
</tr>
</tbody>
</table>

Discussion:

(1) The proposed project to rezone from R-1 Low Density Residential to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site's General Plan Land Use designation of MU "Mixed Use". The site is surrounded by urban uses and would not result in development of land outside of the City's General Plan boundary.

(2-4) The project site is not zoned for agricultural use. There is no existing Williamson Act contract on the property. The site is surrounded by urban uses and would not cause the conversion of additional farmland to a 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-5-6 through V-5-12 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 application is a proposal to rezone the subject property from R-1 Low Density Residential to the P-O Professional Office Zone. No development is proposed with the application; however, the appropriate mitigation to be applied to any future development of the site includes: WS-11 and WS-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-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:
5. INCREASED DEMAND FOR LONG-TERM WATER SUPPLIES

<table>
<thead>
<tr>
<th>Impact Description</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 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:

(1-3) The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site's General Plan Land Use designation of MU "Mixed Use", which assumed water demand to be consistent with the type and intensity of development that would be permitted by this rezoning. The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

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-6-3 through V-6-8 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 Measures Applied to Project.

**Discussion:**

The application is a proposal to rezone the subject property from R-1 Low Density Residential to the P-O Professional Office Zone. No development is proposed with the application.

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:**
The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site’s General Plan Land Use designation of MU “Mixed Use”, which assumed wastewater generation to be consistent with the type and intensity of development that would be permitted by this rezoning. The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

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-7-17 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 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-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) The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site's General Plan Land Use designation of MU "Mixed Use". The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

(2-4) The project site is located within the Baseline Developed Area of the City and is therefore completely surrounded by developed urban area. It is not a biologically sensitive site as defined by Figure V-7-1 of the MEIR. The California Department of Fish and Game and the U.S. Fish and Wildlife Service were consulted in the production of the MEIR.
The proposal to rezone the property is not in conflict with any local policies or ordinances protecting biological resources, nor is in conflict with any adopted 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-8-16 through V-8-20 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 AH-14 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:
8. DISTURBANCE OF ARCHAEOLOGICAL/HISTORICAL SITES

<table>
<thead>
<tr>
<th>Impact Description</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 proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site's General Plan Land Use designation of MU "Mixed Use". The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

(2-5) The site of the proposed rezone is a semi-vacant 3.65-acre parcel with one 1940-built residence and two accessory structures. The site is not within a biological resource area nor is designated as a historic landmark or resource. Buildings will be analyzed for historic relevance at the time of redevelopment. No demolition or remodel is proposed with the rezoning.

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 application is a proposal to rezone the subject property from R-1 Low Density Residential to the P-O Professional Office Zone. No development is proposed with the application; however, the appropriate mitigation to be applied to any future development of the site includes: SD-7 and 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</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
</tbody>
</table>
Less Than Significant
Potentially with Less Than Mitigation Significant Impact Impact Impact

unanticipated sources of polluted runoff.

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.

Discussion:

(1-3) The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site’s General Plan Land Use designation of MU “Mixed Use”, which assumed stormwater runoff to be consistent with the type and intensity of development that would be permitted by this rezoning. The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

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 application is a proposal to rezone the subject property from R-1 Low Density Residential to the P-O Professional Office Zone. No development is proposed with the application; however, the appropriate mitigation to be applied to any future development of the site 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 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:**
The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site's General Plan Land Use designation of MU "Mixed Use". The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

The proposed project is to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone. The site is outside of the 100-year flood zone as defined by the FEMA 2008 Flood Insurance Rate Maps (FIRM).

Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

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-11-9 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:

There are no mitigation measures applicable to the project.

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:
11. INCREASED DEMAND FOR PARKS AND OPEN SPACE

<table>
<thead>
<tr>
<th>Impact Description</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 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.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

Discussion:

(1-3) The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site's General Plan Land Use designation of MU “Mixed Use”. The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

(2-3) The proposed rezone would not eliminate any parks or open spaces. The site is a semi-vacant lot that if approved for development of Professional Office uses would not cause an increase in the use of existing parks or recreational areas.

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-12-5 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:
There are no mitigation measures applicable to the project.

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:

(1-2) The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site’s General Plan Land Use designation of MU "Mixed Use". The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.
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:

There are no mitigation measures applicable to the project.

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>

RZN-12-003: Finding of Conformance
City of Modesto General Plan Master EIR

Initial Study EA No. 2012-26
November 21, 2012
Discussion:

(1) The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site’s General Plan Land Use designation of MU “Mixed Use”. The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

(2) The proposed rezone was referred to the City Police Department, who indicated no concerns with the project.

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-14-7 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:

There are no mitigation measures applicable to the project.

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>Impact</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 fire service policies 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>
<tr>
<td>3) 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>
<td>☒</td>
</tr>
</tbody>
</table>

Discussion:

(1) The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site’s General Plan Land Use designation of MU “Mixed Use”. The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards, including fire safety standards.

(2-3) The proposed rezone was referred to the Modesto Regional Fire Authority, who indicated no concerns regarding need for increased services or effects upon response times.

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-15-7 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 Applied to Project.

Discussion:
No mitigation measures are applicable to this project.

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:
(1-2) The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site’s General Plan Land Use designation of MU “Mixed Use”. The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.
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-16-13 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:**

No mitigation measures are applicable to this project.

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>
</tbody>
</table>
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.

4) The proposed project would be constructed on a contaminated site not known to the State of California as of March 2008.

Discussion:

(1) The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site’s General Plan Land Use designation of MU "Mixed Use". The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

(2) The area proposed for rezoning is semi-vacant with one residence and two accessory structures, and is overall surrounded by urban uses. No schools exist within one-quarter mile of the project site. However, the proposed rezone would allow for Professional Office uses only. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

(3) The project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

(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:
No mitigation measures are applicable to this project.

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 proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site's General Plan Land Use designation of MU "Mixed Use". The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards. 
(2) The project would not be located on soil that is unstable, or that would become unstable as a result of the project.

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-18-8 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:

No mitigation measures are applicable to this project.

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></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 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:

(1-2) The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site’s General Plan Land Use designation of MU “Mixed Use”. The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

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:

No mitigation measures are applicable to this project.
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>[x]</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>[x]</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>[x]</td>
</tr>
</tbody>
</table>

Discussion:

(1) The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site's General Plan Land Use designation of MU "Mixed Use". The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

(2-3) The project site is not in the vicinity of parks or riverside areas. No views into parks or riverside areas would be blocked or degraded from roadways or properties adjacent to the site.

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-20-6 through V-20-17 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:
No mitigation measures are applicable to this project.

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 avoiding or mitigating an environmental impact by an agency that has jurisdiction over the proposed project.</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<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 proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site’s General Plan Land Use designation of MU “Mixed Use”. The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.

(2) The site proposed for rezoning is semi-vacant with one residence and two accessory structures, and is surrounded by urban uses. The project would not divide an established community.

(3) The proposed rezoning does not represent a conflict with any land use plan, policy or regulation established for the purpose of avoiding or mitigating an environmental impact by an agency that has jurisdiction over the proposed project.

(4) The proposed rezoning is not subject to any habitat conservation plan or natural community conservation plan.

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:

No mitigation measures are applicable to this project.

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></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><strong>21. CLIMATE CHANGE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<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:**

(1-3) The proposed project to rezone from R-1 Low Density Residential Zone to the P-O Professional Office Zone is consistent with the Urban Area General Plan and the site's General Plan Land Use designation of MU "Mixed Use". The Mixed Use land use designation allows for uses as permitted within the P-O Zone. Any future development will be required to adhere to applicable City of Modesto Zoning Ordinances and Standards.
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: None

Degradation of Air Quality:

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 onsite 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-45: With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.
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, trackout 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 trackout.

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.

1. An impact wrench, or other tool or equipment powered by compressed air.
3. 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), piledriving 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.

Effects on Agricultural Lands:

None

Increased Demand for Long-Term Water Supplies:

WS-11: During review of all proposed development, the City shall require, as a condition of approval, that all developments reduce their potable water demand. The City should refer to Table 5-1 in the Joint Urban Water Management Plan for potential techniques to reduce potable water demand, as well as those identified in the City’s current UWMP.

WS-13: Individual development projects, including lot splits, are subject to review by the City’s Public Works Director for adequate water supply.

Increased Demand for Sanitary Sewer Services:

None

Loss of Sensitive Wildlife and Plant Habitat:

None

Disturbance of Archaeological/Historic Sites:

AH-14: Any project that involves earth-disturbing activities shall require consultation by the applicant for the purposes of determining archaeological and cultural resources impacts and creating appropriate mitigation to address such impacts.

Increased Demand for Storm Drainage:

SD-7: New development shall comply with City requirements for conveyance, retention and detention. New development shall include onsite storage of stormwater as necessary. Rockwells shall not be allowed for new development except at infill areas smaller than three acres where no other feasible alternative is available.
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:**

None

**Increased Demand for Schools:**

None

**Increased Demand for Police Services:**

None

**Increased Demand for Fire Services:**

None

**Generation of Solid Waste:**

None

**Generation of Hazardous Materials:**

None

**Geology, Soils, and Mineral Resources:**

None

**Energy:**

None

**Effects on Visual Resources:**

None

**Land Use and Planning:**

None
Climate Change:

None
RESOLUTION APPROVING UPDATED RULES AND PROCEDURES FOR THE ENTERTAINMENT COMMISSION

WHEREAS, the Entertainment Commission was formed in 2008 to review and approve entertainment establishment permits as well as special event permits, all which take place throughout the City of Modesto, and

WHEREAS, currently the Entertainment Commission Rules and Procedures authorize seven (7) Commissioners with two (2) alternates to step in to serve on a rotating basis when a Commissioner is absent, and

WHEREAS, staff recommends the composition of the Entertainment Commission consist of one (1) business permit holder, one (1) non-profit/special event holder, two (2) representatives from the Board of Directors of an economic/tourist establishment that promotes Modesto, two (2) at large citizens (non-permit holders), one (1) Cultural Commission member and two (2) alternates to be non-permit holders, and

WHEREAS, these updated Rules and Procedures are attached hereto and incorporated herein,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the updated Rules and Procedures of the Entertainment Commission.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of February, 2013, by Councilmember Burnside, who moved its adoption, which motion being duly seconded by Councilmember Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Mayor Marsh

ATTEST: [Signature]

STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

SUSANA ALCALA WOOD, City Attorney
Rules and Procedures
Of the
Entertainment Commission

Article I
Organization

Section 1.1 Establishment. The Entertainment Commission of the City of Modesto, hereafter called "The Commission", is established pursuant to the provisions of Chapter I of Title X of the Modesto Municipal Code.

Article II
Powers and Duties

Section 2.1 Enumerated. The Commission shall have the following powers and duties:

a. Perform all of the functions assigned to the Entertainment Commission by the City of Modesto, insofar as they are not inconsistent with the provisions of the Charter of the City of Modesto.
b. Review and render decision on applications for an Entertainment Establishment Permit or Special Event Permit.
c. Approve or disapprove punitive actions on violations of the Entertainment Ordinance and/or Permit.
d. Place conditions and modifications on any Entertainment Establishment Permit or Special Event Permit prior to approval.
e. Suspend, revoke and deny Entertainment Establishment Permit or Special Event Permit.
f. Conduct appeal hearing regarding imposition of fines and/or penalties and may affirm, modify, or suspend the imposition of such fines and penalties.
g. Coordinate with relevant City departments any inspection or investigation regarding the Entertainment Establishment Permit or Special Event Permit.

h. Periodically review the Entertainment Establishment Ordinance and recommend needed changes to the City Council.

Article III
Number of Commissioners

Section 3.1 Number. The authorized number of Commissioners shall be seven (7). Each application for membership to the Commission shall be reviewed by the Safety and Communities Committee prior to being forwarded to City Council for appointment. In addition, there shall be a City staff person assigned as the Permit Administrator to the Commission.

Section 3.2 Alternates. In addition to the seven (7) Commissioners, the City Council shall also appoint two (2) alternates to step in to serve, on a rotating basis, when a Commissioner is absent. The alternate shall serve a term of four (4) years.

Section 3.3 Member Composition. Membership composition for the Entertainment Commission shall be: one (1) business permit holder, one (1) non-profit/special event permit holder, two (2) representatives from the Board of Directors of an economic/tourist establishment that promotes Modesto (such as the Modesto Convention and Visitors Bureau or the Downtown Improvement District), two (2) at-large citizens (non-permit holders), one (1) Culture Commission member, and two (2) alternates to be non-permit holders.

Article IV
Designated Commissioners
Section 4.1 Designation. Seven (7) of the Commissioners shall be designated as holding office for four (4) year terms. The Commissioners shall serve at the pleasure of the City Council and shall serve until a successor has been designated and qualified. No person shall serve more than two (2) consecutive terms as a Commissioner. Commission Members are eligible for reappointment to the Commission after a two (2) year absence.

Section 4.2 Initial Term. For purposes of staggering the terms of the Commissioners, the initial appointment shall have terms as follows: three (3) Commissioners shall have initial terms of four (4) years, two (2) Commissioners shall have initial terms of three (3) years, and two (2) Commissioners shall have initial terms of two (2) years. One alternate shall have an initial term of two (2) years and another alternate shall have an initial term of three (3) years. All terms of the initial appointees to the Commission shall be one alternate shall serve for a two (2) year period and one alternate shall serve for a three (3) year term as the initial one deemed to commence upon the same date, which shall be the date upon which the last of the seven (7) initial appointees assumes office. Thereafter, all appointments and reappointments shall be for a term of four (4) years.

Article V
Effective Date

Section 5.1 Effective Date. Aside from the initial term and vacancies, the term of office shall be effective as of the 1st of January. Serving any portion of an unexpired term shall not be counted as service of one term. Members not eligible for reappointment may continue to serve until their successors are appointed and meet all of the qualifications outlined in Sections 9 and 10.

Article VI
Term of Office
Section 6.1 Service. The term of office for the Commissioners will be set to coincide with the term as described in Sections 4.1 and 4.2. Each member’s term shall terminate on December 31 of his or her respective year.

Article VII
Compensation

Section 7.1 Pay. The members of the Commission shall receive no compensation for the performance of their official duties.

Article VIII
Vacancy Appointments

Section 8.1 Appointments. Appointments to fill vacancies on the Commission shall be handled in the same manner as original appointments. When a vacancy occurs during a term, the appointment to fill such a vacancy shall be for the unexpired portion of the term. Appointments shall be made in a timely manner.

Section 8.2 Vacancy on Board.
   a. Resignation – The resignation or death of any Commissioner.
   b. Attendance – Unexcused absence from three (3) consecutive regular meetings or five (5) or more regular meetings in a twelve (12) month period shall result in the position being vacated. Excused absences shall include illness, medical reasons, work related conflicts, and jury duty which shall be authorized provided that notification is given to the appropriate staff member by telephone, facsimile, mail or email at least 48 hours prior to such absence. In addition, attendance shall be recorded in the minutes of monthly meetings, and such minutes shall be transmitted to the Commissioners at the Commission meeting.
   c. Qualifications – The Commissioner no longer meets the qualifications set forth in Sections 9 and 10.
Article IX
Qualifications

Section 9.1 Qualifications. Commissioners shall be chosen without discrimination on the basis of race, sex, sexual preference, color, religion, age, national origin, income, marital status or handicap. Commissioners are required to complete and file Form 700 with the City Clerk’s Office annually. Additionally, Commissioners shall at all times comply with all applicable conflict of interest laws.

Article X
Residency

Section 10.1 Residency. The members of the Commission shall reside in the City of Modesto at the time of appointment and must maintain residence within the City limits throughout their term(s).

Article XI
Meetings

Section 11.1 Meetings. Regular meetings of the Commission shall be held twice a month, unless cancelled. Special meetings of the Commission may be held at any time by the Chair of the Commission or by a majority of the Commissioners. The time for regular meetings and special meetings of this Commission shall be provided for by Commission resolution or, if none, by the Chair. All meetings shall be held at 1010 10th Street, City Hall in a room to be scheduled by the facilitating department.

Section 11.2 Notice. Written notice of the time and place of any regular or special meeting of the Entertainment Commission shall be delivered personally to each voting member of the respective body, or sent to each voting member by mail or other form or written delivery, charges prepaid, addressed to him or her at
his or her address as it is shown in the corporate records, or by fax or email, sent to him or her at the fax or email address shown in the corporate records. Any such notice shall be mailed, delivered, faxed or emailed at least seventy-two (72) hours before the date of a regular meeting, and at least twenty-four (24) hours before the time of a special meeting.

Article XII
Brown Act Compliance

Section 12.1 Compliance. All meetings of the Commission, or any other committee of the Commission, shall be held in conformity with the Brown Act, found at Government Code §54950 et seq. Accordingly, any and all meetings of the Commission and the Commission’s committees to which the Brown Act applies, shall be open and public.

a. “Meeting” Defined. A “meeting” under the provisions of the Brown Act includes any congregation of a majority of the members of the Commission, or any other committee of the Commission to which the Brown Act applies, at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of any such body or the local agencies to which it pertains.

b. Notice. Where required by the Brown Act, the Commissioners shall:
   i. Cause mailed notice of any regular meeting to be sent at least seventy-two (72) hours prior to the date set for the meeting to any and all persons who have filed a written request for that notice with the Commissioners.
   ii. Cause mailed notice of any special meeting to be given as deemed practical, provided it otherwise complies with Brown Act requirements, where the special meeting is called less than seventy-two (72) hours prior to the date set for the meeting to any and all persons who have filed a written request for that notice with the Commissioners.
iii. Cause notice of any special meeting of the Commissions to be personally delivered or mailed to each local newspaper of general circulation, radio or television station requesting notice in writing, said notice, stating time, place and business to be transacted, to be received at least twenty-four (24) hours before the time of the meeting as specified in the notice.

iv. Cause notice of the date, time and location of any regular meeting, and an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, to be posted at least seventy-two (72) hours prior to the meeting in a location that is freely accessible to members of the public; and

v. Cause notice of the date, time, and location of any special meeting to be posted at least twenty-four (24) hours prior to the special meeting in a location that is freely accessible to members of the public.

c. Agenda. Every meeting agenda mailed or posted shall provide an opportunity for members of the public to directly address the Commissioners on any item of interest to the public, before or during consideration of the item.

d. Adjournment. Where a meeting is adjourned, the time and place to which it is adjourned shall be announced at the time of adjournment, and the time and place so announced shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within twenty-four (24) hours after the time of adjournment. Written notice of said adjournment shall be given in the same manner as provided for special meetings under Article 5, §C2, subsections b, c and e of these bylaws. Where a regular meeting or adjourned regular meeting is adjourned, the resulting adjourned meeting is a regular meeting for all purposes, including notice.
e. Cancellation of Scheduled Meetings. The Chair may cancel any scheduled meeting when in his/her opinion there is no policy matter requiring a full Commission meeting, or due to lack of quorum.

Article XIII
Meeting Quorum

Section 13.1 Quorum.

a. Meetings of the Commission. At least half of the whole number of Commissioners appointed and seated on the Commission shall constitute a quorum for the transaction of business by the Commission of the organization and every act or decision of a majority of the seated Commissioners present at a meeting at which at least a quorum is present, made or done when duly assembled, shall be valid as the act of the Commission. A majority of those present at the time and place of any stated or special meeting, although less than a quorum, may adjourn without further notice. When a quorum shall attend, any business may be transacted that might have been transacted at the meeting had the same been held on the day which the same was originally appointed or called. Should a meeting be held with less than a quorum present, any business transacted thereat may be advisory only and not valid as an act of the Commission. Every voting member or member of the Commission shall have one vote for the transaction of business of the corporation, and the use of proxy votes is prohibited.

b. Conduct of Meeting. The Chair of the Commission, or in his or her absence, the Vice-Chair, or in the absence of the Vice-Chair, a chairperson elected by the Commissioners present, shall call the meeting to order, and shall act as the presiding officer thereof.

c. Minutes. The Permit Administrator or his/her designee shall cause the minutes of all meetings to be recorded, and in his or her absence, the presiding officer may appoint any person to act as recorder. These minutes shall be promptly mailed to each member of the Commission
having met, and to each member of the Commission, and a copy shall be filed in the appropriate office in the City of Modesto.

Article XIV
Procedures, Powers, Duties and Staff

Section 14.1 Designated. The provisions of the Municipal Code of the City of Modesto pertaining to procedures, powers, duties, and staff shall prevail. The Permit Administrator or his/her designee shall serve as the Secretary to the Commission. The Secretary shall keep a written record of all business transacted by the Commission, notify Commission members of meetings, and keep the official records of the Commission.

Article XV
Rules of Order

Section 15.1 Rules. All meetings of the Commission shall be conducted in accordance with the Roberts Rules of Order and any applicable rules, procedures and policies adopted by the Commission. These rules, procedures and policies can be amended from time to time by the Commission as necessary.
A RESOLUTION APPOINTING MARSHALL RIDDLE TO THE CITY OF MODESTO PLANNING COMMISSION

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions, and

WHEREAS, the Economic Development Committee met on January 29, 2013, and recommended appointment of Marshall Riddle to the Modesto Planning Commission.

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


SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the appointed member of the Modesto Planning Commission, and the Secretary thereof.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Gunderson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

(SEAL)

APPROVED AS TO FORM:

By: 

SUSANA ALCALA WOOD, City Attorney
RESOLUTION AMENDING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO TO AMEND THE MINIMUM QUALIFICATIONS FOR CLASSIFICATION OF POLICE CAPTAIN

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 2008-681 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,

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

SECTION 1. CLASSIFICATION AMENDED. The Position Classification Plan of the City of Modesto is hereby amended to revise the Police Captain classification. The Police Captain job specification is being revised to change the experience requirement to better meet the needs of the position. The revised Police Captain class specification, as shown in attached Exhibit "A," which is made a part of this resolution by reference, is hereby approved and made part of the Position Classification Plan of the City of Modesto.

SECTION 2. EFFECTIVE DATE. This resolution shall become effective on and after February 12, 2013.
The foregoing resolution was introduced in a regular meeting of the Council of the City of Modesto held on the 12th day of February, 2013, by Councilmember Burnside, who moved its adoption, which motion being duly seconded by Councilmember Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
CITY OF MODESTO
APRIL 1988
NO. 2921

POLICE CAPTAIN

Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are not intended to reflect all duties performed within the job.

DEFINITION

To manage, direct and coordinate the activities of a major division within the Police Department; to coordinate assigned activities with other divisions within the department; and to provide highly complex staff assistance to the Chief of Police.

SUPERVISION RECEIVED AND EXERCISED

Receives general direction from the Chief of Police.

Exercises direct and indirect supervision over subordinate sworn and non-sworn personnel.

ESSENTIAL AND MARGINAL FUNCTION STATEMENTS - Essential and other important responsibilities and duties may include, but are not limited to, the following:

Essential Functions:

Develop and implement division policies, goals, objectives and priorities.

Direct, oversee and participate in the development of assigned division’s work plan; assign work activities, projects and programs; monitors work flow; review and evaluate work products, methods and procedures.

Prepare the division budget; assist in budget implementation; participate in the forecast of additional funds needed for staffing equipment, materials, and supplies; administer the approved budget.

Participate in recommending the appointment of personnel; provide or coordinate staff training; work with employees to correct deficiencies; implement discipline procedures; recommend employee terminations.

Confer with citizens and City officials on law enforcement problems and assist in the development of innovative municipal law enforcement policies.
Essential Functions: (Continued)

Supervise enforcement of all laws and ordinances within the jurisdiction of the Department.

Personnel direct major investigations; inspect major crime and accident scenes.

Supervise investigation of complaints involving Officer conduct.

Direct the provision of support services to operational activities and units of the Department; maintain data, statistics, and information necessary for police planning and management.

Supervise maintenance of departmental equipment inventory including motor vehicles, weapons, ammunition, and related supplies and material.

Formulate and disseminate departmental policies, procedures and directives; assist the Chief of Police with administrative matters.

Prepare and review disciplinary reports; make recommendations on disciplinary actions; review complaints and conduct internal investigations as assigned.

Marginal Functions

Perform related duties as assigned.

MINIMUM QUALIFICATIONS

Knowledge of:

Principles, practices and procedures of police administration, organization and operation.

Laws, ordinances and regulations affecting the work of the Department including those governing traffic, criminal investigation, and arrest and prosecution.

Technical and administrative phases of crime prevention and law enforcement including investigation and identification, patrol, traffic control, records management, and care and custody of property.

Recent court decisions and how they affect department and division operations.
Knowledge of: (Continued)

Use of firearms and other modern police equipment.

Principles and practices of organization and personnel management in a municipal government environment.

Budgeting procedures and techniques.

Principles and practices of supervision, training and personnel management.

Ability to:

Plan, direct, manage and coordinate the activities of a major division.

Communicate clearly and concisely, orally and in writing.

Recommend and implement sound policies and procedures.

Meet and deal tactfully and effectively with the public.

Properly interpret and make decisions in accordance with laws, regulation and policies.

Act quickly and calmly in emergencies.

Exhibit technical ability that commands respect of subordinates.

Prepare and administer a budget.

Supervise, train and evaluate personnel.

Experience and Training Guidelines

Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience:

Two years of supervisory experience with at least one year at the rank of Police Lieutenant. Two years of law enforcement experience at a level
equivalent to the rank of Police Lieutenant.

Training:
Equivalent to an Associate of Arts degree from an accredited college or university with major course work in police science, law enforcement administration, criminal justice, public administration or a related field.

License or Certificate
Possession of, or ability to obtain, an appropriate, valid California driver's license.
Possession of a P.O.S.T. Advanced and Management Certificate.

PHYSICAL AND MENTAL REQUIREMENTS

**Mobility:** frequent use of keyboard; frequent sitting for long periods of time; occasional bending or squatting.
**Lifting:** frequently up to 10 pounds; occasionally up to 25 pounds.
**Vision:** constant use of overall vision; frequent reading and close-up work; occasional color and depth vision.
**Dexterity:** frequent repetitive motion; frequent writing; frequent grasping, holding, and reaching.
**Hearing/Talking:** frequent hearing and talking, in person and on the phone.
**Emotional/Psychological:** frequent decision-making and concentration; frequent public and/or coworker contact; occasional working alone.
**Environmental:** frequent exposure to noise.

WORKING CONDITIONS

Work is performed in a typical temperature controlled office environment subject to typical office noise and environment. Positions require occasional overtime or weekend work and the ability to travel.

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RESOLUTION AMENDING THE POSITION ALLOCATION IN THE PARKS, RECREATION AND NEIGHBORHOODS DEPARTMENT TO ELIMINATE ONE (1) EVENTS SUPERVISOR, ELIMINATE ONE (1) FACILITY SUPERVISOR, ELIMINATE ONE (1) .75 ADMINISTRATIVE ANALYST II, AND ADD ONE (1) CENTRE PLAZA MANAGER ALLOCATION TO COST CENTER

WHEREAS, City Council directed staff to reduce the Centre Plaza budget by $250,000 during the budget hearings for fiscal year 2012-13, and

WHEREAS, the negotiations with the Doubletree Hotel during the outsourcing-managed competition failed, and

WHEREAS, staff has begun making changes to achieve the requested reduction in budget by eliminating an Events Supervisor, a Facility Supervisor and an .75 time Administrative Analyst, and

WHEREAS, it was determined that the current Events Supervisor alone did not cover the full scope of responsibility required for successful operation of the Centre, and

WHEREAS, a new position of Centre Plaza Manager is being established, and

WHEREAS, the new position encompasses a higher level of authority and a broader scope of responsibility than the Events Supervisor position, and

WHEREAS, the above changes create a cost saving of approximately $179,000 in the Centre Plaza General Fund budget.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:
SECTION 1. A reduction in overall the position allocation at Centre Plaza includes the elimination of the Events Supervisor, Facility Supervisor and .75% of an Administrative Analyst II, and

SECTION 2. Create a Centre Plaza Manager allocation for the new classification.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 2013, by Councilmember Gunderson, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCAEZA WOOD, City Attorney
RESOLUTION AMENDING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO TO CREATE THE CLASSIFICATION OF CENTRE PLAZA MANAGER AND TO DELETE THE CLASSIFICATIONS OF EVENTS SUPERVISOR AND FACILITY SUPERVISOR

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 2008-681 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,

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

SECTION I. CLASSIFICATION CREATED. The Position Classification Plan of the City of Modesto is hereby amended to create the classification of Centre Plaza Manager at salary range 442. The Job specification for Centre Plaza Manager is being created to plan, organize, direct and manage the operations of the Modesto Centre Plaza within the Parks, Recreation and Neighborhoods Department, as shown in attached Exhibit "A," which is made a part of this resolution by reference, is hereby approved and made part of the Position Classification Plan of the City of Modesto.
SECTION 2. CLASSIFICATIONS DELETED. The Position Classification Plan of the City of Modesto is hereby amended to delete the classifications of Events Supervisor and Facility Supervisor as said classifications are no longer being used.

SECTION 3. EFFECTIVE DATE. This resolution shall become effective on and after February 12, 2013.

The foregoing resolution was introduced in a regular meeting of the Council of the City of Modesto held on the 12th day of February 2013, by Councilmember Gunderson, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney
CITY OF MODESTO
No. 2358

CENTRE PLAZA MANAGER

Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are not intended to reflect all duties performed within the job.

DEFINITION

To plan, organize, direct and manage the operations of the Modesto Centre Plaza; to develop, implement and enforce existing policies, procedures and objectives within responsibility for Centre Plaza operations including budget, facilities, capital improvements and revenues; and to provide highly responsible staff assistance to the Director of Parks, Recreation and Neighborhoods Department.

SUPERVISION RECEIVED AND EXERCISED

Receives administrative direction from the Director of Parks, Recreation and Neighborhoods.

Exercises direct supervision over assigned supervisory and professional, technical and administrative personnel.

ESSENTIAL AND MARGINAL FUNCTION STATEMENTS- Essential and other important responsibilities and duties may include, but are not limited to, the following:

Plan and organize effective operations of the Centre Plaza by managing and directing all operations, staff, concessionaires and maintenance activities.

Develop and implement goals, objectives, policies and procedures including the development of Centre Plaza business plan, a comprehensive marketing plan and long-term strategic plan.

Act as systems administrator for the facility management system and oversight of all maintenance and building facility management issues.

Monitor and oversight of the variety of facility maintenance contracts, such as: fire suppressions systems, elevator maintenance and inspection responsibilities, ground keeping contracts, and address other safety and security issues.

Inspect total facility to locate and determine the extent of repair or maintenance work to be performed.

Negotiate lease terms and rental rates, enforce rental rate structure; approve all client contracts to ensure necessary policies and procedures are followed.
Essential Functions: (Continued)

Meet with clients to evaluate operations of the facility to improve customer satisfaction; meet with appropriate City management staff and City Council as needed to explain new programs.

Compile and analyze data on user trends to improve productivity and enhance facility use.

Prepare and administer the Centre Plaza budget; forecast additional funds needed for staffing, equipment, materials and supplies.

Build and maintain positive working relationships with Senior Executive Team, Mayor, City Council, co-workers, other City employees and the public using principles of good customer service.

Recommend the appointment of personnel; provide or coordinate staff training, conduct performance evaluations; implement discipline procedures as required; maintain discipline and high standards necessary for the efficient and professional operation of the Centre Plaza.

Represent the Centre Plaza to businesses and public agencies interested in development, operation and use of the Centre Plaza; participate in outside community and professional groups and committees; provide technical assistance as necessary.

Responsible for marketing the Centre Plaza to the community and other potential business to expand the convention bookings in the Centre Plaza

Build and maintain positive working relationships with co-workers, other City employees and the public using principles of good customer service.

Work collaboratively with groups, individuals, and corporations.

Participate in the selection of staff; provide and coordinate staff training, work with employees to correct deficiencies; implement disciplinary procedures as necessary; implement timely performance evaluations of staff and recreation programs.

Research and prepare technical and administrative reports; prepare written correspondence.

Marginal Functions:

Perform related duties as assigned.
MINIMUM QUALIFICATIONS

Knowledge of:

Principles and practices of facility management.

Principles and practices of organizational analysis and management.

Principles and practices of leadership, motivation, team dynamics, team building and conflict resolution.

Principles and practices of marketing and sales in convention centers/theatres.

Pertinent local, State and Federal rules, regulations and laws.

Practical application of modern information technology for administrative and fiscal management tasks.

Budgeting procedures and techniques.

Principles and practices of supervision, training and personnel management.

Ability to:

Plan, organize and direct the Centre Plaza operations; implement a comprehensive operations strategy to produce the greatest efficiency, service and value to the organization.

Operate a revenue producing business in a government environment.

Analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals.

Negotiate effectively and monitor contracts.

Interpret and apply applicable law, City and department policies, procedures, rules and regulations.

Prepare and administer methods and techniques of statistical analysis for the Centre Plaza budget; analyze revenue and control expenditures and effective technical report preparation and presentation (both oral and graphic).

Plan, organize, direct and evaluate the work of administrative, technical, and clerical staff; build a high performance workforce.
MINIMUM QUALIFICATIONS (continued)

Establish and maintain cooperative working relationships with those contacted in the course of work.

Present ideas effectively, orally and in writing; prepare and make public presentations.

Experience and Training Guidelines

Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience:

Five years of increasingly responsible experience in operation and management of a convention center or similar facility; including one year providing technical and functional supervision over assigned personnel.

Training:

Equivalent to a Bachelor's degree from an accredited college or university with major course work in business administration, public administration, accounting, finance, economics, program or facility management, or a related field.

License or Certificate:

Possession of or ability to obtain an appropriate valid California driver's license.

PHYSICAL REQUIREMENTS & WORKING CONDITIONS

Mobility: frequent use of keyboard; frequent sitting for long periods of time; occasional bending or squatting. Lifting: frequently up to 10 pounds; occasionally up to 25 pounds. Vision: constant use of overall vision; frequent reading and close-up work; occasional color and depth vision. Dexterity: frequent repetitive motion; frequent writing; frequent grasping, holding, and reaching. Hearing/Talking: frequent hearing and talking, in person and on the phone. Emotional/Psychological: frequent decision making and concentration; frequent public and/or coworker contact; occasional working alone. Environmental: frequent exposure to noise.
WORKING CONDITIONS

Work is performed in a typical temperature controlled office environment subject to typical office noise and environment. Positions may require occasional overtime or weekend work and travel is rare.

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RESOLUTION AMENDING EXHIBIT “A” OF RESOLUTION NO. 2008-683 TO REVISE THE CLASS RANGE TABLE FOR REPRESENTED MANAGEMENT AND CONFIDENTIAL NON-SWORN CLASSES TO ADD THE SALARY RANGE FOR CENTRE PLAZA MANAGER TO SALARY RANGE 442 AND TO DELETE THE EVENTS SUPERVISOR FROM SALARY RANGE 441 AND FACILITY SUPERVISOR FROM SALARY RANGE 435

WHEREAS, the City Council desires to amend Exhibit “A” of Resolution No. 2008-683, which approved the Class Range Table for Represented Management and Confidential Non-Sworn Classes,

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

SECTION I. AMENDMENT TO RESOLUTION NO. 2008-683. Exhibit "A" entitled, "City of Modesto Class Range Table Represented Management and Confidential Non-Sworn Classes," attached to Resolution No. 2008-683, 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 February 5, 2013,” which is attached hereto and made a part hereof as though set forth in full herein. Said Exhibit “A” adds the Centre Plaza Manager to salary range 442 and deletes Events Supervisor from salary range 441 and Facility Supervisor from salary range 435.

SECTION II. EFFECTIVE DATE. This resolution shall become effective on and after February 12, 2013.
The foregoing resolution was introduced in a regular meeting of the Council of
the City of Modesto held on the 12th day of February, 2013, by Councilmember
Gunderson, who moved its adoption, which motion being duly seconded by
Councilmember Geer, was upon roll call carried and the resolution adopted by the
following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez,
Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney

ATTEST: STEPHANIE LOPEZ, City Clerk
## CITY OF MODESTO
### CLASS RANGE TABLE
### REPRESENTED MANAGEMENT AND CONFIDENTIAL NON-SWORN CLASSES
### Effective February 12, 2013

<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>
<tr>
<td>414</td>
<td>Legal Secretary I</td>
</tr>
</tbody>
</table>
| 415   | Administrative Services Technician I (Confidential)  
Senior Administrative Office Assistant (Confidential) |
| 418   | Legal Secretary II  
Systems Technician I |
| 419   | Administrative Services Technician II (Confidential)  
Workers’ Compensation Claims Assistant |
| 420   | Deputy City Clerk  
Employee Benefits Coordinator  
Executive Assistant  
Senior Legal Secretary |
| 422   | Office Supervisor  
Systems Technician II  
Workers’ Compensation Claims Examiner I |
| 423   | Custodian Supervisor  
Parking Services Supervisor |
| 424   | Buyer |
| 425   | Parking Adjudication Program Coordinator  
Police Facilities Coordinator |
| 426   | Assistant Planner  
Central Stores Supervisor  
Financial Analyst I  
Senior Systems Technician |
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
</table>
| 427   | Administrative Analyst I  
|       | Animal Control Supervisor  
|       | Human Resources Analyst I  
|       | Police Civilian Supervisor  
|       | Technology Solutions Analyst I  
|       | Workers' Compensation Claims Examiner II |
| 428   | Assistant City Clerk |
| 430   | Associate Planner  
|       | Financial Analyst II  
|       | Senior Buyer  
|       | Software Analyst I  
|       | Systems Engineer I |
| 431   | Administrative Analyst II  
|       | Events Coordinator  
|       | Human Resources Analyst II  
|       | Risk and Loss Control Coordinator  
|       | Senior Workers' Compensation Claims Examiner  
|       | Technology Solutions Analyst II |
| 432   | Compost Facility Supervisor  
|       | Junior Engineer  
|       | Neighborhood Preservation Supervisor  
|       | Operations Supervisor  
|       | Parks Project Coordinator  
|       | Recreation Supervisor  
|       | Senior Crime and Intelligence Analyst  
|       | Wastewater Collection Systems Supervisor  
|       | Water Quality Control Plant Maintenance Supervisor |
| 433   | Water Resources Analyst |
| 434   | Customer Services Supervisor  
|       | Financial Analyst III  
|       | Recycling Program Coordinator  
|       | Senior Community Development Program Specialist  
|       | Software Analyst II  
<p>|       | Systems Engineer II |</p>
<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  
        Public Information Coordinator  
        Transit Analyst  
        Weed and Seed Program Coordinator |
| 436   | Assistant Engineer  
        Deputy Fire Marshal  
        Electrical Supervisor  
        Environmental and Water Quality Laboratory Supervisor  
        Environmental Services Supervisor  
        Housing Rehabilitation Supervisor  
        Senior Planner |
| 437   | Senior Human Resources Analyst |
| 438   | Associate Land Surveyor  
        Integrated Waste Specialist  
        Property Agent  
        Public Safety Business Services Analyst  
        Senior Financial Analyst  
        Senior Software Analyst  
        Senior Systems Engineer  
        Water Distribution and Production Supervisor |
| 439   | Administrative Services Officer  
        Associate Transportation Planner  
        Senior Business Analyst |
| 440   | Associate Engineer  
        Environmental Regulatory Compliance Administrator  
        Recreation Program Manager  
        Water Quality Control Operations Supervisor |
<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  
       | Streets Manager  
       | Wastewater Collections Manager |
| 442   | Budget and Financial Analysis Manager  
       | **Centre Plaza Manager**  
       | Construction Inspection Supervisor  
       | Customer Services Manager  
       | Principal Accountant  
       | Principal Software Analyst  
       | Principal Systems Engineer  
       | Purchasing Manager |
| 443   | Associate Civil/Traffic Engineer  
       | Senior Transportation Planner |
| 444   | Airport Manager  
       | Building Inspection Program Coordinator  
       | Building Inspection Supervisor  
       | Fleet Manager  
       | Principal Planner  
       | Solid Waste Program Manager  
       | Transit Manager |
| 446   | Assistant Chief Building Official  
       | Information Technology Manager  
       | Water Quality Control Plant Manager |
| 447   | Traffic Operations Engineer  
<pre><code>   | Water Systems Manager |
</code></pre>
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
</table>
| 450   | Business Development Manager  
        | Chief Building Official  
        | Planning Manager  
        | Senior Civil Engineer |
| 451   | Parks Recreation & Neighborhoods Operations Manager |
| 452   | City Engineer  
        | Traffic Engineer |
RESOLUTION ACCEPTING THE DOWNTOWN PASSENGER RAIL FEASIBILITY STUDY

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, a new General Plan for the City of Modesto entitled "City of Modesto Urban Area General Plan", as recommended by the Modesto City Planning Commission, was adopted by the Council of the City of Modesto by Resolution No. 95-409 on August 15, 1995, and


WHEREAS, on January 12, 2010, the City Council of the City of Modesto approved a motion supporting high speed and regional passenger rail in downtown Modesto and directing staff to make any necessary amendments to the Urban Area General Plan, and

WHEREAS, on March 23, 2010, the City Council of the City of Modesto approved Resolution 2010-122 approving submittal of a grant application to the
California Department of Transportation (Caltrans) requesting $100,000 in Community-Based Transportation Planning Grant funds, and

WHEREAS, on December 7, 2010, the City Council of the City of Modesto adopted Resolution 2010-497, 2010-498, and 2010-499 accepting the grant funding and making appropriate budget adjustments, and

WHEREAS, on June 28, 2011, the City Council of the City of Modesto adopted Resolution 2011-254 making minor amendments to the General Plan, including a policy amendment specifically supporting a passenger rail station in downtown Modesto, and

WHEREAS, public input on a future location for a passenger rail station in downtown was sought through three public workshops addressing the criteria for selecting a site, reducing the number of sites under consideration, and ranking three sites in order of most preferred to least preferred, and

WHEREAS, the Community & Economic Development Department has analyzed the potential sites under consideration for a downtown passenger rail and identified potential policies to support a passenger rail station and collected the information into a Downtown Passenger Rail Station Feasibility Study, and

WHEREAS, on December 3, 2012, the Planning Commission held a duly noticed public hearing in the Tenth Street Place Chambers located at 1010 Tenth Street, Modesto, California, wherein it considered the Downtown Passenger Rail Station Feasibility Study, and

WHEREAS, after said public hearing, the Planning Commission adopted Resolution No. 2012-16, recommending the City Council accept the Downtown Passenger Rail Station Feasibility Study, and
WHEREAS, on January 14, 2013, the Economic Development Committee of the City Council of the City of Modesto held a duly noticed public meeting in Room 2005 located at 1010 Tenth Street, Modesto, California, wherein it considered the Downtown Passenger Rail Station Feasibility Study and recommended the City Council consider the item, and

WHEREAS, said matter was set for a public hearing of the City Council to be held on February 12, 2013, in the Tenth Street Place Chambers located at 1010 Tenth Street, Modesto, California, at which date and time said duly noticed public hearing of the Council was held for the purpose of receiving public comment on the proposed Downtown Passenger Rail Station Feasibility Study.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that the proposed Downtown Passenger Rail Station Feasibility Study as described in Exhibit “A”, attached hereto and incorporated herein by reference, is accepted.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the proposed Downtown Passenger Rail Station Feasibility Study is statutorily exempt from CEQA under Section 15262, Feasibility and Planning Studies.
The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 12th day of February, 2013, by Councilmember Cogdill,
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: Burnside, Cogdill, Geer, Gunderson, Lopez,
Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST:  

SEAL

APPROVED AS TO FORM:

By:  

SEAL

SUSANA ALCALA WOOD, City Attorney
Acknowledgements

City Council
Garrad Marsh, Mayor
John Gunderson, District 1
David Geer, District 2
Dave Lopez, District 3
Joseph Muratore, District 4
Stephanie Burnside, District 5
Dave Cogdill, District 6

Planning Commission
Patricia Gillum, Chair
F. Tom Berglund
Ted Brandvold
Steve Carter
Sandra Lucas
Dennis Smith
Chris Tyler

City Staff
H. Brent Sinclair, AICP, Director of Community and Economic Development
Patrick Kelly, AICP, Planning Division Manager
Brad Wall, AICP, Principal Planner
Cindy van Empel, AICP, CNU-A, Senior Planner, Project Manager
Katharine Martin, Associate Planner

With Support From:
Rick Phillips, HNTB
Stacey Mortenson, San Joaquin Regional Rail Commission
Barbara Hempstead, California Department of Transportation

Special Thanks to all Workshop Participants
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The purpose of this study is to determine the viability of a future passenger rail station for potential high speed and conventional rail service in downtown Modesto by identifying the strengths and weaknesses of the proposal. The study will help answer the question of whether Modesto should continue pursuing a passenger rail station and what additional information, policies, and resources will be needed for such an effort to be successful. Whether action should be taken, and what action, are decisions to be made by Modesto City Council and the StanCOG Policy Board. Should City Council approve this report, nothing further will occurs unless City Council directs further action.

Direct public input was sought through three workshops. Workshops were held to consider (1) criteria for selecting a station site, (2) to identify several potential station sites, and (3) to identify the preferred station site of the several identified.

By its very nature, passenger rail, whether conventional or high speed, is a large-scale venture, requiring resources far beyond a single municipality or region. Amtrak is a national rail service; the Altamont Commuter Express is interregional and Caltrain, BART, and Metrolink (Los Angeles area) are regional services.

In 2008, California voters passed Proposition 1A, the Safe, Reliable High-Speed Passenger Train Bond Act, which authorizes the issuance of $9.95 billion in bonds “to establish a clean, efficient high-speed train service linking Southern California, the Sacramento/San Joaquin Valley, and the San Francisco Bay Area” which is expected to reduce “air pollution, global warming greenhouse gases, and our dependence on foreign oil.” This feasibility study considers a small part of this 800-mile-long statewide project.

The California High Speed Rail Authority (CHSRA) was established in 1996 to plan and implement high-speed intercity service in California. A significant part of the planning work comprises ridership projections, route selection, environmental analyses, public outreach, and engineering. While Modesto’s concerns are taken into consideration, Modesto has no direct authority over the High-Speed Passenger Train project. Decision making authority for cities that may have the opportunity to a high-speed rail station is limited to site selection along the route, site planning, and funding for a station. For this feasibility study, Modesto is evaluating two vertical alignment alternatives, above-grade (elevated above street level) and at-grade (at street level), consistent with the alignments being considered by the California High-Speed Rail Authority.

The CHSRA’s Revised Business Plan (April 2012) includes a smaller-scale, near-term option, which is part of the “Northern California Blended Service.” A station serving this option, which may be developed at-grade, could be needed within 10 years.

The high-speed train system will be developed in two phases; Modesto is part of the second phase of the project. Work on Phase 1 is well under way: an alignment has been selected for the Merced-to-Fresno segment, ridership estimates have been developed, environmental documents have been completed, and engineering of the Initial Construction Segment between Fresno and Bakersfield is
finished. Construction contracts for the Initial Construction Segment are expected to be signed in spring and fall of 2013. Planning for Phase 2 is under way, but the alignment has not yet been selected, which is critical to the development of ridership projections. The environmental documents that will eventually be prepared will consider many factors that are not part of this study: reductions in automobile trips, air quality, noise, and aesthetics, among others.

It is likely that revisions to the CHSRA's business plan will result in delayed implementation of full high speed rail for Phase 2. Instead, interim improvements to existing passenger rail service will be implemented. The complete scope of improvements to existing passenger rail has not been developed, but may include improvements to Amtrak and extension of the Altamont Commuter Express (ACE) to Modesto and Merced.

This feasibility study is limited to considering:

- Whether, where, and how a passenger rail station might fit into downtown;
- Whether necessary feeder service and parking exists or could be added;
- Right-of-way acquisition estimates for a station and for the alignment through the county;
- Whether policies are in place to support development that will support a station.
This feasibility study has five chapters:

1. Existing conditions
   This chapter reviews how downtown Modesto was established and the influences that have shaped downtown and the existing resources and policies that will help make a passenger rail station successful.

2. Site selection
   Different alternatives are evaluated to illustrate different scenarios. This study is not exhaustive: many other sites could have been evaluated, each with problems and benefits, and other site and circulation plans are possible for each site. Each site has been carefully considered and debated by workshop attendees; the considerations used in the site selection process are presented and are intended to be useful to City Council in its future decision making process.

3. Right of way needs
   The acquisition cost of each preferred passenger rail station site is presented in 2012 dollars. Additionally, right of way estimates from the San Joaquin County line to the Merced County line are estimated on a per-acre basis.

4. Funding Sources
   Potential funding sources for right of way acquisition, and operating and maintenance costs for the station are considered.

5. Policy recommendations
   Downtown Modesto can accommodate a passenger rail station today, but various policies should be considered in order to gain the largest benefit from a future station.

The documents used for the workshops in August 2011, November 2011, and June 2012 appear as Appendices A, B, and C, respectively.

While Workshop 3 attendees preferred Site D/E, the largest of the three sites, the City of Modesto may select any of the three sites; or another site; or may choose not to host a passenger rail station. The process used to select Site D/E as the preferred location is made as transparent as possible through the inclusion of the details of selection criteria and how each block fared with respect to those criteria and through the discussion of elements that contribute to the feasibility of various sites for a passenger rail station, such as parking and circulation.

Depending on the type of service provided, passenger rail could serve various functions. If it is a lower-speed, local and interregional service, similar to the Altamont Commuter Express, then riders would be expected to use it in place of a private automobile to travel to and from work or during the day to get to and from meetings in other cities, such as Merced or Tracy. On the other hand, if higher-speed, long-distance service is provided, riders would be expected to travel for purposes such as connecting to
airports in Sacramento, Oakland, and San Francisco; for entertainment, sporting, and cultural events in the Bay Area, or for meetings in Los Angeles, San Francisco, or San Diego. The train could be used instead of driving or flying. Furthermore, the train could serve not just as a means to connect Modestans with the rest of California, but as a means to bring the rest of California to Modesto. Modesto offers performances at the Gallo Center for the Performing Arts and major employers such as Gallo Glass and Foster Farms, and can serve as a gateway to the Sierras for visitors. Car rental services and a Yosemite Area Regional Transportation System (YARTS) stop near or at the station could provide transportation into the mountains and directly to Yosemite National Park from downtown Modesto.
History and Development Pattern

Modesto's downtown is a former land grant given to the Central Pacific Railroad by the federal government in the 1860s and 1870s as incentive to extend rail service down the San Joaquin Valley from the main transcontinental line in Sacramento. The federal government deeded alternating sections (each 640 acres, 1 square mile) to rail companies, which were often developed by the rail companies in order to fund the extension and operation of rail service. The area comprising Modesto's commercial downtown grid today is that 640-acre land grant. Modesto incorporated as a city in 1884 with an area larger than the original land grant, approximately 1,700 acres, about 2.6 square miles.

By necessity, the land grant area and the original city were self-contained and easily traversed on foot. The land grant area originally included single-family residences and commercial and industrial businesses, including what was eventually incorporated as Modesto. Automobiles did not yet exist and horses were expensive. Most local travel occurred on foot and all daily needs were easy to reach within the city. Commercial lots were narrow, maximizing the number of businesses along a block frontage. Private automobiles began to appear in the early 20th century; they became common in the 1920s, and dominant after World War II. As Modesto grew, commercial and industrial development replaced residences, which were either demolished or slowly converted to commercial use.

The expansion of the city and development patterns reflect transportation modes: large commercial lots and frontages with large parking lots in front of the building are designed for the motoring public, while small lots and frontages with parking behind the building (if provided at all) are designed for pedestrian and bicycle traffic.
Statewide Passenger Rail Planning

The CHSRA has identified two phases of development. Phase 1 is the Los Angeles-to-San Francisco segment. Phase 2 includes Merced-to-San Jose via the Altamont Pass and to Sacramento and Los Angeles to San Diego. Modesto is on part of Phase 2. Phase 1 has begun to receive construction funding; much of the alignment has been selected and environmental and engineering documents are almost complete.

The alignment for Phase 2 has not yet been selected and planning documents have not been completed. Phase 2 will approximately parallel either the Union Pacific Railroad ("western alignment" near State Route 99 through Modesto) or the Burlington Northern-Santa Fe alignment ("eastern alignment" through Riverbank, Empire, and Denair). At this early stage of work on Phase 2, Modesto has adopted a general plan policy to bring passenger rail to downtown. Modesto participates in planning meetings for Phase 2 and actively supports federal, state, and local policies (see Chapter 5) that will make passenger rail in downtown possible. Other than funding for this study, no local funding has yet been made available. This study is expected to lead to more refined planning and engineering work and to funding for passenger rail in the Regional Transportation Plan.
Chapter One: Existing Conditions

Station Area

The CHSRA has prepared planning-level engineering sketches of the western and eastern alignments for the northern San Joaquin Valley in order to prepare environmental analyses for the alignments. Modesto's primary interest is in the western alignment, which would route passenger rail through downtown. City staff met with consultants to the CHSRA to identify the appropriate study area for a passenger rail station to serve the western alignment. The area is generally bounded by State Route 99 on the west, 9th Street on the east, by N. Jefferson Street on the northwest, and B Street.

When planning the station area, the area of greatest concern is the half-mile radius around a major transit station because that is the distance that most people can walk in 10 minutes, a fairly comfortable travel distance on foot. The area within a five-minute walk of a major transit station is most heavily affected by the station. Less significant stations might utilize a maximum five-minute walk or even a three-minute walk. This area is known as a "pedestrian shed" or "ped shed," a concept similar to a commute shed: it is the area that may be covered by walking at a comfortable pace, usually measured in time from a center or an area of greatest influence.

Development within the half mile surrounding the study area (Figure 1-1), which encompasses most of the Central Pacific Railroad’s original land grant and much of the original city, is extremely varied. In this area lie significant public buildings, such as the City-County Building (Modesto-Stanislaus County), the Gallo Center for the Arts, the County Courthouse, the Stanislaus County Public Library, the offices of Modesto City Schools, part of Modesto Junior College and Modesto High School. A public golf course, most of Tuolumne River Regional Park, and the Mistlin Art Gallery also lie within a 10-minute walk of the study area. Major businesses within that radius include Gallo Glass, Foster Farms, and the DoubleTree Hotel. In addition to these, the area houses a broad variety of

Figure 1-1

CA Passenger Rail
Downtown Modesto
Station Study Area

Study Area
Study Area Half Mile Radius
Fences

Miles

Union Pacific Railroad
Modesto & Empire Traction Railroad
Existing At-Grade Rail Crossings
industrial businesses (such as American Lumber and Stanislaus Foods), services (such as banking, architecture, engineering, and law offices), retail (such as shoes, clothing, and furniture stores), and restaurants. Toward the edges of the 10-minute ped shed are single family houses, duplexes, and apartment houses.

The existing development pattern is based upon Euclidean zoning, which separates land use types, based upon the idea that different activities are incompatible with one another. This represents a significant change from the original development pattern in Modesto, when activities were located in the city based upon functional relationships, and most daily needs were located within a short walk of one’s home.

Furthermore, much of downtown Modesto’s commercial and civic capacity has been eroded over time, along with downtown’s status as the center of economic and civic life. Many of today’s surface parking lots were once occupied by commercial buildings, such as:

- North corner of 10th and I Streets (former two-story G.P. Schafer Company),
- South corner of 10th and H Streets (former three-story Elks Club),
- 9th Street between I and J Street (former D.T. Bunker’s Garage),
- South corner of 9th and I Streets (former two-story Swan Building),
- 9th Street between G and H Streets (former Modesto Bank)
- South corner of 9th and K Streets, parking structure (former Stanislaus Lumber Company),
- North corner of 9th and I Streets, McDonald’s (former Chamber of Commerce)

The proliferation of parking lots, especially surface parking lots, indicates economic decline, because the land is no longer of great enough value to make a building worthwhile. Put another way, parking generates little or no revenue for the property owner or the government (in property taxes). The same principle applies to larger buildings that are replaced by smaller buildings.

Additionally, the vast majority of the residences once located in downtown are gone. Lacking residences nearby to walk from and lacking passenger rail service, foot traffic has declined and fewer businesses that depend on foot traffic are located in downtown. The net effect of this is reduced foot traffic in downtown, accompanied by reductions in commerce and in personal safety.
Downtown Core Zone

In 2010, Modesto City Council approved a new development code for 42 blocks in the downtown area, about 180 acres of the original 640-acre land grant. Figure 1-2 shows the Downtown Core zone and the planning districts within it. Unlike use-based zoning, which characterizes the predominant development code for Modesto, the Downtown Core Zone is a form-based code, which emphasizes the regulation of building form and location on the lot (disposition) over the activity that occurs inside the buildings. As it is currently configured, the area planned for highest density is located around 10th, 11th, and 12th Streets, and I, J, and K Streets.

It is the City’s intention to add significant new housing opportunities in the downtown area, and to expand the Downtown Core Zone to encompass an area slightly larger than the original land grant. Adding new housing will create a close-in market for retail and office space, complementing a passenger rail station and bringing more origins and destinations closer to a future passenger rail station. By focusing development in the downtown area, the City expects to reduce automobile trips and increase pedestrian and bicycle traffic and catalyze development in downtown.

A portion of the passenger rail station study area lies within the Central District of the Downtown Core zone, which is the highest-density area in the Downtown Core. The portion of the study area that is in the Downtown Core zone lies within the Transition District, which allows more moderate density than the Central District.

For a major transit facility in a developing mixed-use, downtown core, such as a passenger rail station, it is important to minimize the amount of parking that is immediately adjacent to the station in order to allow businesses to make the most productive use possible of the high-value land around the station, and for the city to encourage revenue-producing uses in the area benefiting most from station access and proximity. In order to achieve the goal of creating high-value real estate, the station area must be planned to make walking useful, easy, and interesting.
When it was first established as a stop along the Central Pacific Railroad, Modesto could be reached from other cities by rail or by wagon on the few existing roads. Today, automobile traffic dominates transportation in Modesto, even in downtown. According to the 2006-2010 American Community Survey of work trips, 81.8 percent of Modestans drive alone to work (an increase from 78.9 percent in 2000), 9.2 percent carpool (a decrease from 13.7 percent in 2000), 1.3 percent took transit (no change from 2000), 1.4 percent walked (a decrease from 1.7 percent in 2000), 2.4 percent used other modes to get to work (an increase from 1.5 percent in 2000), and 3.8 percent worked from home (an increase from 2.9 percent in 2000).

Parking

The City of Modesto currently owns and/or operates three parking garages and seven surface parking lots in the downtown area. These are shown on Figure 1-3 and listed below, with the number of spaces in each. These facilities provide approximately 2,600 off-street parking spaces in the downtown area. Of these, the library lot is located outside the 5-minute pedestrian shed for the three study sites (see below) and has therefore been excluded from further discussion, leaving almost 2,500 off-street parking spaces in the entire study area for all three sites.

Table 1: City-Operated Off-Street Parking in Downtown

<table>
<thead>
<tr>
<th>Facility</th>
<th>Location</th>
<th>Spaces</th>
<th>City-Owned</th>
<th>Within Five Minutes of Study Area?</th>
</tr>
</thead>
<tbody>
<tr>
<td>11th Street Garage</td>
<td>Between I and J Streets</td>
<td>339</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>10th Street Place Garage</td>
<td>South corner of 11th and K Streets</td>
<td>727</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>9th Street Garage</td>
<td>Between K and L Streets</td>
<td>775</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Centre Plaza Parking Lot</td>
<td>11th Street, between K and L Streets</td>
<td>144</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>9th and I Street</td>
<td>South corner of 9th and I Streets</td>
<td>55</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>8th Street</td>
<td>Between K and I Streets</td>
<td>121</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>10th and H Street</td>
<td>South corner of 10th and H Streets</td>
<td>110</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Library Lot</td>
<td>H Street, between 15th and 16th Streets</td>
<td>131</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>10th and G Street</td>
<td>Behind and for Police Department offices</td>
<td>157</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>9th Street</td>
<td>Between I and J Streets</td>
<td>42</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>2,601</td>
<td>2,480</td>
<td>2,470</td>
</tr>
</tbody>
</table>
Most blocks in the downtown area are about 300 feet by 400 feet. Using a generous estimate of 22 feet per parked car and allowing for alleys and driveways, there is space for about 12 parallel-parked cars along the short sides of each block (24 total) and for about 14 parallel-parked cars along the long sides of each block (28 total) for about 52 parking spaces around each typical block. There are 61 blocks within the five-minute pedestrian sheds for the three study sites providing enough curb space for approximately 3,200 on-street parallel parking spaces.

City-owned or operated off-street parking and city-owned on-street parking totals approximately 5,800 spaces within the five-minute pedestrian sheds of the three study sites. At this time, one lot is used exclusively by City staff (10th and G Street lot), a part of one structure is under contract with the DoubleTree Hotel (9th Street Garage), and one structure provides parking for City and County staff and is partly under contract to 10th Street Place tenants (10th Street Place Garage). These arrangements are expected to change over time, but must be considered as part of the parking situation in the station area.
Existing and Potential Off-Street and On-Street Parking
Historic Buildings and Landmarks

Downtown is Modesto's richest environment for historic buildings and other historic landmarks, primarily because it is the oldest part of the city. Virtually all of Modesto's historic properties are located within the original (1884) incorporated city limits. Historic buildings and landmarks provide a physical link with the past and provide context for a city. Buildings and landmarks are often privately owned, but they constitute a public resource. Well-preserved historic buildings often command high rent, in addition to making a city more beautiful.

Modesto has a program for designating local landmarks, but it is entirely voluntary and requires the consent of the property owner. Consistent with State guidelines, Modesto's Municipal Code [Title 9, Chapter 10, Section 9-10.04(b)] requires the Landmark Preservation Committee to determine that a site under consideration possesses historic, architectural, cultural, archaeological, or engineering significance, as defined.

The California Environmental Quality Act (Government Code Section 15064.5) goes further, requiring an evaluation of significant impacts on properties. Determining whether a site is historic should be done consistent with Public Resources Code Sections 5020 et seq and 5024 et seq.

Modesto's Landmark Preservation Committee has established several landmarks in the commercial downtown area, as shown on Figure 1-4. Other buildings that might be considered for preservation are also identified.

Figure 1-4

Existing and Potential Landmark Sites in the Vicinity of Preferred Station Sites
Chapter Two: Site Selection

Evaluating Preferred Sites

The first of three public workshops was held on August 10, 2011. The goal of Workshop 1 was to present the various criteria established by the California High-Speed Rail Authority and the City of Modesto for selecting a location for a passenger rail station. Workshop attendees were asked to consider whether they wanted to add other criteria, which would subsequently be used to evaluate potential sites in the study area. Appendix A contains the list as it was presented at Workshop 1.

Using the criteria established at the first workshop, staff then evaluated each of the 36 blocks in the study area and gave each block an average rating. The purpose of this was to create a quick way to compare one block to another. The rating sheets were to be used by the attendees of the second workshop.
Attendees at Workshop 2, held on November 16, 2011, defined the preferred sites, shown on Figure 2-2 and identified in the next section (Evaluating Preferred Sites) for developing a passenger rail station on blocks within the study area. The preferred sites were not prioritized by attendees; lettering of sites does not denote ranking. Please see “Block-by-Block Evaluation of Passenger Rail Station Study Area” (Appendix B) for more information about the prioritization process.

Conceptual station plans provided by HNTB, an engineering and design firm under contract to the California High Speed Rail Authority (Figure 2-1), suggest that adequate space for a passenger rail station is a minimum of three 300-foot by 400-foot blocks (2.75 acres), the typical block size in downtown Modesto. By extension, the total minimum station site is about 8.25 acres excluding streets, needed to accommodate the station entry plaza, station house, and transit plaza. These rail station functions are described below.

**Station Entry Plaza:** The entry plaza includes most of the functions for pre-boarding and departure, excepting functions in the transit plaza. Ticketing, taxi stand, curbside passenger drop-off, bicycle parking, and entry lobby, are all included.

**Station House:** This area accommodates train arrivals and departures and trains passing by the station; it also has platforms for passengers.

**Transit Plaza:** Buses arrive and depart with passengers here.

For illustrative purposes, conceptual aerial views of stations for an at-grade alignment and for an above-grade alignment are shown on Figures 2-3 and 2-4. Figure 2-5 shows a diagram of a passenger rail station in cross section.
Chapter Two: Site Selection

**Conceptual Sketch – Elevated HST Station**

**Conceptual Sketch – At-grade HST Station**

**Typical Station Cross Section**

**Typical HST Station Elements**

- EXPRESS TRACKS
- WIND SCREEN
- PLATFORM CANOPY
- BOARDING PLATFORM
- STATION HOUSE AND CONCOURSE
- VERTICAL CIRCULATION
- ENTRY PLAZA

*Figure 2-3 (Credit: HNTB)*

*Figure 2-4 (Credit: HNTB)*

*Figure 2-5 (Credit: HNTB)*
Of the blocks preferred for locating a passenger rail station, the minimum rating from the Block-by-Block Evaluation exercise (Appendix B) was 2.17 and the maximum rating was 2.78. Not all of the blocks receiving ratings in this range were preferred; eight were not identified as preferred locations, including one block, Block 31, which tied Block 32 for the highest rating (2.78). (The rating sheet for each of the preferred blocks is in Appendix A.) In essence, each of the preferred sites discussed below received at least one “vote.” Four blocks, 24, 25, 32, and 33, received two “votes” each. Figure 2-2 shows the station sites preferred by the attendees of Workshop 2, which were evaluated in greater depth by City staff before being ranked in order of preference at Workshop 3. For more information on the workshops, see Appendices A, B, and C.

Evaluating Preferred Sites

As detailed in Appendix B, five sites were identified for further study by participants in Workshop 2. The five sites are identified in no particular order as A, B, C, D, and E and are illustrated on Figures 2-6 through 2-10 and on Figure 2-11.

Rating sheets for each city block that is included in a preferred station site are summarized below. Sites A through E are evaluated individually, as a collection of the blocks they contain. Each site has benefits (pros) and drawbacks (cons), as described below.
Site A: Blocks 25, 26, 33, and 34

Pros
- Adequate size: four blocks, 8.73 acres, excluding streets
- Gridded streets, good for bus, pedestrian, bicycle, and automobile traffic
- In the Downtown Core zone (Transitional District)
- Uses within a half mile of the site: single and multi-family residential, commercial, civic, entertainment, and industrial

Cons
- Not in Central District of Downtown Core zone
- H Street may be closed
- Right of way acquisition costs will be negatively affected by private ownership
- Slightly higher cost of infrastructure relocation (sewer, water, storm water) than Sites C and D

Figure 2-6
Site B: Blocks 28 and 35

Pros
- Adequate size: two large blocks, 13.91 acres excluding streets
- Gridded streets north and east
- Uses within a half mile of the site: single and multi-family residential, commercial, civic, entertainment, and industrial
- Streets are peripheral to site

Cons
- A portion of the site is in the Transition District of the Downtown Core zone, rather than in the Central District
- Nearby industrial uses and Tuolumne River Regional Park reduce development potential
- Not well connected across State Route 99, reducing station area development potential
- Slightly higher cost of infrastructure relocation (sewer, water, storm water) than Sites C and D
Site C: Blocks 23, 24, and 32

Pros
- Adequate size: two standard and one large block, 9.04 acres excluding streets
- Gridded streets, good for bus, pedestrian, bicycle, and automobile traffic
- In the Downtown Core zone, Transitional District
- Somewhat lower cost for infrastructure relocation (sewer, water, and storm water) and acquisition than Sites A, B, and E

Cons
- Right of way acquisition costs will be negatively affected by private ownership.
- St. Stanislaus Cathedral, built in 1910, occupies 1.29 acres of Block 23; excluding St. Stanislaus reduces the usable area of Site C to 7.75 acres.
Site D: Blocks 32 and 33

Pros
- Gridded streets, good for bus, pedestrian, bicycle, and automobile traffic
- In the Downtown Core zone, Transitional District
- Uses within a half mile of the site: single and multi-family residential, commercial, civic, entertainment, and industrial
- Somewhat lower cost for infrastructure relocation (sewer, water, and storm water) and acquisition than Sites A, B, and E

Cons
- Inadequate size: two standard blocks, 5.11 acres excluding streets
- Weak connection to western downtown Modesto due to Union Pacific Railroad
Site E: Blocks 24 and 25

Pros
- Gridded streets, good for bus, pedestrian, bicycle, and automobile traffic
- In the Downtown Core zone, Transitional District
- Uses within a half mile of the site: single and multi-family residential, commercial, civic, entertainment, and industrial

Cons
- Inadequate size: two standard blocks, 5.57 acres excluding streets
- Weak connection to western downtown Modesto due to Union Pacific Railroad
- Slightly higher cost of infrastructure relocation (sewer, water, storm water) than Sites C and D
The desired outcome of Workshop 2 was to identify three preferred sites. However, the attendees selected five preferred sites. While all potential sites have drawbacks, staff decided after Workshop 2 that there were too many sites to evaluate thoroughly, and then present at Workshop 3, and that three of the sites had drawbacks significant enough to warrant elimination from further consideration.

Although Site B (Blocks 28 and 35) is the largest of the sites, its location away from bridges crossing State Route 99 and the Union Pacific Railroad right of way limits the ability of Site B to stimulate investment on the west side of State Route 99 within a five-minute walk of the potential station site. Therefore, Site B was eliminated from further consideration by City staff.

Sites D (Blocks 32 and 33) and E (Blocks 24 and 25) are the smallest sites: both comprise two city blocks, rather than the minimum three blocks needed. Rather than eliminate these sites, staff decided to combine these two sites into a single large site comprising 10.68 acres and referred to as Site D/E. The result is three potential station sites for further evaluation: Site A, Site C, and Site D/E.

Figure 2-11

Sites A, C and D/E
Chapter Two: Site Selection

Conceptual Area Planning

With the selection of three sites for further evaluation (Site A, Site C, Site D/E), the work of planning the sites and the area around them can begin. Several components must be considered: pedestrian sheds or area of greatest influence, transportation access, parking, historic and potential historic buildings, development types and densities, and street-rail interface for at-grade tracks.

Pedestrian Sheds

A pedestrian shed or "ped shed" is the area that may be covered by walking at a comfortable pace, usually measured in time from a place of origin. Intuitively, the area in which a person can easily walk from a center within a short period of time is likely to receive the highest volume of pedestrian traffic. The ped shed is also an area of greatest influence for the passenger rail station that has implications for parking, property values, and business locations. For this study, we have used the most common ped shed of five minutes. Most people can comfortably walk about a quarter mile in five minutes. Five-minute ped sheds for Sites A, C, and D/E are shown in Figures 2-12, 2-13 and 2-14. Distance is measured using actual walking paths, rather than using a simple circular radius, providing a better sense of which properties can be reached within a five-minute walk of the station study sites.

Transportation Access

Today most travel in and around Modesto occurs by automobile, but automobile use requires significant public investment for construction, maintenance, and policing (roads) and private investment for purchase, maintenance, insurance, and gasoline (automobile). As the lane-miles of roadway increase, maintenance costs also increase. Other costs associated with automobile use include loss of farmland, noise, poor air quality, poor health and rising health care costs, and life and property loss. For these and other reasons, it is in the public interest to make walking, bicycling, bus, and train facilities readily available and convenient to use.

A new passenger rail station will bring travelers and businesses to downtown Modesto and change the existing circulation patterns. The passenger rail station will result in an increase in pedestrian traffic in the station area (California High-Speed Rail Authority, 2011). Ninth Street between D to L Streets is designated State Route 132, which is a truck route. Pedestrian crossing distances should be reduced, especially across 9th Street and bicycle facilities will be needed on through streets. Pedestrian safety must be considered with respect to all at-grade rail crossings. A taxi stand and a curbside passenger drop-off location for cars ("kiss-and-ride") will be needed near the entry plaza.
Site A

Selecting Site A would likely result in the closure of H Street across the site and eliminate the G-H one-way couplet, returning both G and H Streets to two-way traffic. Automobile traffic would flow around the site. Bus traffic would be staged either on the east side of the site (at-grade option) or the west side (above-grade option). Pedestrian and bicycle traffic would flow around and penetrate the site. An above-grade walkway across the railroad tracks is recommended for the at-grade option to provide pedestrian access to both sides of the site. (See Figures A-1 and A-2 at Appendix C.)

Figure 2-12

Site A: Pedestrian Shed
Site C

This site encompasses the existing Transportation Center, as well as an additional block-and-a-half west of the Union Pacific Railroad, with a half-block set aside for St. Stanislaus parish church. For the at-grade option, bus traffic would be staged at the existing Transportation Center, but buses would use the larger west side of the site for the above-grade option. Pedestrian and bicycle traffic would penetrate the site and an above-grade walkway is recommended for the at-grade option for pedestrian safety. Site C would not result in changes to the existing street circulation pattern and automobile traffic would flow around the site. (See Figures C-1 and C-2 at Appendix C.)

Figure 2-13

Site C: Pedestrian Shed
Site D/E

Site D/E is the largest of the three preferred sites. Because it straddles I Street, closure to automobile traffic is recommended for safety, although bus, bicycle, and pedestrian traffic could continue to use I Street. As with the other two sites, the at-grade option would allow bus access from the east side, changing to the west side for the above-grade option. Bus, bicycle, and pedestrian traffic would all penetrate the site and an above-grade pedestrian walkway is recommended for the at-grade option. To promote bus access around the site, the G-H one-way couplet could be eliminated, reopening both streets to two-way traffic. (See Figures D/E-1 and D/E-2 at Appendix C.)

Figure 2-14

Site D/E: Pedestrian Shed
Chapter Two: Site Selection

Parking

As shown on Figure 2-15, there is a substantial amount of parking in the study area. As noted previously, the City of Modesto currently owns or operates approximately 2,600 off-street parking spaces and owns enough curb space to park approximately 3,200 cars on street, for a total of approximately 5,800 spaces within five minutes of the three-site study area. Parking is an important resource, but because very little revenue is derived from parking as compared to commercial buildings, and because space devoted to parking cannot be used for high-revenue-producing activities, it is equally important not to provide too much. This feasibility study does not attempt to estimate parking demand, only to describe the elements affecting parking demand.

Parking demand varies substantially over the course of a day. During business hours, long-term parking is needed for employees and short-term parking for customers and visitors. Weekday evenings, parking for shopping and entertainment dominates demand, while at night the greatest demand for parking is residential. On weekends, parking demand is dominated by shopping, entertainment, and residential uses. Parking not tied to a specific building (public parking on or off street) can be used flexibly to satisfy all of these needs. On-street parking is most commonly used for short-term automobile storage, while off-street parking is most commonly used for long-term storage.

Important considerations:

- Demand for stand-alone parking will vary over time with changing use and intensity, and travel modes used in downtown Modesto. For example, Modesto’s form-based code allows intensification of development with minimal parking requirements, so as new development occurs, the parking ratio will decline if parking structures are not constructed.

- New development downtown is expected to comprise substantial residential units, more fully utilizing parking capacity during evening and night hours.

- As rail ridership increases, parking demand in the station area will also increase if transit does not provide convenient access to the station with short headways. It is possible that ridership will increase more rapidly than parking and transit service. As demand becomes more predictable transit service to the station will become more frequent and convenient, reducing the need for passenger rail parking. Parking originally built to accommodate rail riders can be repurposed to serve other downtown users as parking demand declines, if parking is well distributed throughout the study area.

- Modern parking management will be necessary to reduce parking demand. At this time, much of the off-street parking within five minutes of the study sites is contracted for use by specific downtown users, who may or may not fully utilize these spaces and who do not pay the full cost (opportunity, capital, and maintenance) for parking.

- On-street parking is typically free of charge and is limited to one or two hours. Reducing the number of people driving downtown alone will require a long-range strategy that includes metered parking, flexible market-rate prices for parking, high-frequency transit service, reduced parking ratios, and other strategies to level the playing field between driving alone and other travel modes.
On-street parking along the station frontages would probably be removed, for both security and access. A curb-side passenger drop-off location will be needed near the entry plaza as well as a taxi stand; bicycle lanes will be needed along 9th Street and along lettered streets; and sidewalk extensions will be needed at intersections to facilitate pedestrian travel. Removing on-street parking in select areas would allow the addition of needed non-automobile facilities.

Figure 2-15

Existing and Potential Off-Street and On-Street Parking
Site A

As shown on Figure 2-16, there are approximately 2,300 off-street parking spaces and approximately 1,700 on-street parking spaces within a five-minute walk of Site A, for about 4,000 spaces. Surface parking lots within a five-minute walk of Site A, accounting for 485 spaces, would likely be removed when a passenger rail station is established, for a net of approximately 3,500 spaces if no additional parking is constructed.
Site C

Figure 2-17 indicates there are approximately 2,300 off-street parking spaces and approximately 1,600 on-street parking spaces within a five-minute walk of Site C for about 3,900 spaces. Approximately 470 surface parking spaces would likely be removed when a passenger rail station is established, for a net of approximately 3,400 spaces if no additional parking is constructed.
Site D/E

This site has approximately 2,500 off-street parking spaces and approximately 1,800 on-street spaces within a five-minute walk of the site, as shown on Figure 2-18 for about 4,300 spaces. Approximately 630 surface parking spaces are likely to be removed when passenger rail service is established for a net of approximately 3,700 spaces if no additional parking is constructed.

Figure 2-18

Existing Off-Street and On-Street Parking and Potential Parking Sites Within 5 Minutes of Site D-E
Choosing appropriate locations for future parking structures requires a certain amount of experience and planning to maximize developable property while avoiding unnecessary expenditures. Structures that serve the passenger rail station in the short term may be repurposed to serve other downtown development in the long term, when transit service improves. Parking serving the passenger rail station should be near the station, but not so near that it is inconvenient for other new development in downtown.

Properties that are now and could be developed for parking are shown on Figures 2-16, 2-17 and 2-18. All potential parking sites are lettered; these properties are vacant and could be purchased at relatively low cost to construct new parking structures. The number of parking spaces that could be provided at each lettered site depends upon the layout of the site and how much of the building would be occupied with leasable space.

Modesto is part of Phase 2 of the California High Speed Rail project. Ridership projections, which vary with development patterns and economic conditions, have not yet been prepared for Phase 2. However, at this time it is reasonable to assume additional parking in downtown near the passenger rail station will be needed to support rail ridership. Cabral Station in Stockton has 205 off-street parking spaces dedicated for Altamont Commuter Express (ACE) riders. While not a perfect comparison, Cabral Station suggests how many spaces may be needed for a northern San Joaquin Valley commuter rail system. It should also be noted that demand for ACE is high (San Joaquin Regional Rail Commission, 2012) and its use is constrained by the rail lease agreement with Union Pacific Railroad. Nevertheless, ACE added a new train in October of 2012, for a total of four (pers. comm. Thomas Reeves, San Joaquin Regional Rail Commission). If ACE were to run on its own tracks and provide service throughout the day, ridership and parking demand would certainly be higher than it is today.
Chapter Two: Site Selection

Historic and Potentially Historic Buildings

Modesto has lost a significant portion of its historic commercial and residential buildings. Great care must be exercised to ensure that remaining identified and unidentified historically significant buildings are preserved in some manner. To date, Modesto has addressed historic buildings on a site-by-site basis, which has further eroded the stock of remaining buildings. Historic buildings add character to a city and remind us of our history and the city's context. Preserving historic buildings may reduce the development capacity of a site, but if repurposed and restored, historic buildings can command higher rents than similar, modern buildings. Figure 2-19 illustrates existing local historic landmarks and potentially historic buildings in downtown.

Figure 2-19

Existing and Potential Landmark Sites in the Vicinity of Preferred Station Sites
Station Area Development

Typically, investments of public money in transportation improvements attract development in proportion to the size and concentration of the investment. Therefore, large, concentrated public transportation investments support and attract private investment. Passenger rail is a desirable amenity in most downtowns. However, rail is not a fully compatible neighbor for all potential land uses.

Under most circumstances, property values and leasing rates will determine which uses and tenants will be closest to the passenger rail station. However, noise from the Union Pacific Railroad and possibly also from passenger trains—especially if the rail line is at grade because horns would be used—as well as noise from transit feeder service, would have a negative impact on residential uses. Therefore, a building buffer should be created between the rail lines and transit center and any new residential development. As new buildings arise adjacent to the rail lines and station, they will create a noise barrier for residences.

Street-Rail Interface

Conventional passenger rail service, such as the existing ACE and Amtrak serves, can cross streets and sidewalks at grade in developed areas, similar to the current freight service, without significantly changing the safety environment. However, full high-speed service must be grade-separated from local traffic, either by elevating the tracks or by putting local streets on overcrossings or undercrossings. For this feasibility study, Modesto is evaluating two vertical alignment alternatives for passenger rail: above-grade and at-grade, consistent with the alignments being considered by the California High-Speed Rail Authority.

Above-Grade Alignment  An above-grade alignment would raise passenger rail tracks above street level on a series of columns in order to avoid conflicts with traffic using streets and sidewalks. Passengers would reach the station entry plaza at street level and rise to the platform level via stairs or elevators.

This alignment has the advantage of allowing traffic to cross the passenger rail alignment without stopping, even as trains arrive and depart. Potential conflicts between roadway users and trains would not exist. Additionally, trains can travel at higher speeds because the risk of collision is essentially zero, which also virtually eliminates the need for train horns to be sounded. The primary disadvantage of the above-grade alternative is its greater expense.

At-Grade Alignment  An at-grade alignment would result in passenger rail tracks crossing roadways at street level, just as the existing freight rail lines do. This has the benefit of being less costly than the above-grade alignment, but does not allow full high-speed service. Depending upon the station design, the Union Pacific Railroad tracks could create a barrier to movement of passengers through the station. Modesto evaluated this alternative as a low-cost interim solution for extending passenger rail service to Modesto and Merced from Stockton.
Figures 2-20 and 2-21 show the Transportation Center, which could continue to operate in its current location on 9th Street between K and I Streets. The existing unused passenger rail platform is located immediately adjacent to the Transportation Center on the east side of the Union Pacific Railroad tracks. Whether the passenger rail tracks are east or west of the Union Pacific Railroad tracks passengers approaching from the opposite side will have difficulty reaching the platform. This problem could be solved by adding a pedestrian overcrossing or undercrossing to move passengers safely from one side of the Union Pacific Railroad to the other.

Another approach would be to move the Transportation Center and passenger rail platform from the east side of the Union Pacific Railroad tracks to the west side of the Union Pacific tracks. The disadvantage of this approach is that it would increase the number of people needing to cross two sets of at-grade railroad tracks (Union Pacific and the passenger tracks) in order to reach the station. Because more downtown development lies east of the railroad tracks and the larger portion of Modesto also lies east of the tracks, the amount of pedestrian, bicycle, bus, and car traffic crossing the tracks to reach the station would be expected to increase substantially, resulting in increased safety risks.

Conceptual Site Planning

Preparing conceptual site plans requires first determining the minimum area needed for each major activity. Following the pattern established by other passenger rail station planning efforts in the San Joaquin Valley, the major activity areas are:

1. Entry Plaza
   The entry plaza includes most of the functions for pre-boarding and departure, excepting functions in the transit plaza. Ticketing, curbside drop off (kiss-and-ride), bicycle parking, and entry lobby are all included. The entry plaza must have easy access to the station house. According to the CHSRA, at least one block is needed to accommodate each of the various functions.
(2) Station House
This area accommodates train arrivals and departures on platforms for passenger arrivals and departures. Through-train traffic also passes through the station house without stopping. Convenient access to both the entry plaza and the transit plaza must be available to the station house. The station house will be two to three blocks long and at least 150 feet wide to accommodate the four sets of passenger rail tracks (for north- and southbound boarding and north- and southbound through trains). Any station near the Union Pacific Railroad would need to accommodate the freight rail right of way.

(3) Transit Plaza
In this area, buses arrive and depart with passengers. Safe and convenient access to the station house must be available. The transit plaza must be at least the same size as the current transit plaza, approximately one block, but room to expand will make the site more useful. In order to provide good access for bus traffic to and from the transit plaza, adjacent streets should be two-way.

At minimum, about three city blocks including streets will be needed for all the station components. How those components are laid out will be decided at a later date. For illustrative purposes, a different conceptual site plan was used for each of the preferred sites. The CHSRA has not yet determined whether passenger rail service in the northern San Joaquin Valley will be at-grade or above-grade. Therefore, a conceptual site plan and circulation plans were prepared for at-grade and above-grade options for each preferred site. For scale, Figure 2-22 illustrates BART's above-grade alignment along Martin Luther King Jr. Boulevard in Oakland.
Site A

Above-grade alignment. As shown on Figure 2-23, the station entry plaza extends along 9th Street, from G Street to I Street. The transit plaza also extends from G Street to I Street, but lies along 7th Street. The station house is above grade, roughly parallel to and west of the Union Pacific Railroad right of way, leaving the area below for station uses. The station house would be accessible by elevator or stairs from the entry plaza and transit plaza. Street closures would likely include 8th Street in the station area and H Street between 9th Street and 7th Street. (For more detail, see Figure A-1, Appendix C.) As shown on Figure 2-25, cars would be routed around the station. If H Street were closed, G Street would probably be returned to two-way traffic. Downtown freeway on- and off-ramps would still be readily accessible from G and I Streets, as well as from L Street. (For more detail, see Figure A-1, Appendix C.)
Site A (continued)

At-grade alignment As shown on Figure 2-26 the station for the at-grade alignment is almost the reverse of the above-grade alignment: the transit plaza extends along 9th Street from G Street to I Street, while the station entry plaza extends along 7th Street from G Street to I Street. The station house would lie adjacent to the entry plaza on the west side of the Union Pacific Railroad right of way, on the opposite side from the transit plaza. A walkway would be necessary in order to safely and conveniently transport transit riders, pedestrians, and bicyclists across the Union Pacific Railroad. (For more detail, see Figure A-2, Appendix C.)

Figure 2-26

Figure A-2: Conceptual Site Plan, At-Grade Passenger Rail Service

Figure 2-27

Figure A-2: Conceptual Automobile Circulation, At-Grade Passenger Rail
Site C

Above-grade alignment. As shown on Figure 2-28, the station entry plaza would lie along 9th Street, from I Street to K Street, where the Transportation Center is today, and the transit plaza would lie along part of 7th Street, from I Street to J Street. This site plan would have a smaller transit plaza in order to preserve St. Stanislaus Church. The station house would lie west of the Union Pacific Railroad right of way and would be accessible by elevator or stairs from the entry and transit plazas, leaving the area below for other station uses. (For more detail, see Figure C-1, Appendix C.) As shown on Figure 30, automobile traffic would be routed around the passenger rail station. The circulation pattern would be similar to today's circulation pattern. (For more detail, see Figure C-2, Appendix C.)
Site C (continued)

At-grade alignment  As shown on Figure 2-31, the at-grade station concept is the reverse of the above-grade concept. In this scenario, the transit plaza is located at the site of today's Transportation Center and the station entry plaza lies on the west side of the Union Pacific Railroad right of way between I Street and K Street; St. Stanislaus Church would be preserved in its current location. (For more detail, see Figure C-2, Appendix C.) As shown on Figure 2-32, the circulation pattern would be very similar to the pattern used today. (For more detail, see Figure C-2, Appendix C.)
Site D/E

Above-grade alignment  As shown on Figure 2-33, the layout of this site is similar to Site A, but with the addition of a half block along 9th Street, taking advantage of city-owned property. The station entry plaza lies along 9th Street between H Street and K Street and the transit plaza lies along 7th Street between H Street and J Street. The station house is roughly parallel to and west of the Union Pacific Railroad right of way; because it is above-grade, the area below the station house can be used for other station purposes. The station house would be accessible from the entry and transit plazas by elevator or stairs. (For more detail, see Figure D/E-1, Appendix C.) As shown on Figure 2-35, I Street between 9th Street and 7th Street and 8th Street in the station area would be closed. (For more detail, see Figure D/E-1, Appendix C.)
Site D/E (continued)

At-grade alignment  As shown on Figure 2-36, the at-grade option could be configured using a smaller site that could be expanded to the southeast. In this option, the station house would likely be shorter than depicted, but could be moved northerly or southerly along the alignment as needed. The transit plaza occupies the same location as today's Transportation Center and the entry plaza lies on 7th Street between I and J Streets. (For more detail, see Figure D/E-2, Appendix C.)

I Street could remain open to automobile traffic until the expansion site is needed. When the expansion site is used, H Street would then be adjacent to the station and might need to be returned to two-way traffic in order to facilitate bus access to the transit plaza. If that were to occur, then G Street would likely also be returned to two-way traffic; 8th Street would be closed in the station area.

Conclusion

After discussing the various alternatives and considering options, Workshop 3 attendees ranked the sites in order of preference. Site D/E was ranked first, Site C was second, and Site A was third. This order of preference is not binding, but if the City Council should decide to further pursue a passenger rail station, the issues weighed by the workshop attendees should be considered.
Chapter Three: Right of Way Needs

Land will be needed for both the passenger rail station and for the right of way to accommodate the tracks as they pass through Stanislaus County.

The Stanislaus County Assessor’s office provided the assessment values needed to estimate the cost of purchasing the three study sites. The conceptual cost estimates are on Table B, below, ranked from the most preferred site (Site D-E) to the least preferred site (Site A), as ranked by participants in Workshop 3.

Table 2: Estimated Cost to Acquire Station Site (August 2012)

<table>
<thead>
<tr>
<th>Station Site</th>
<th>Study Area Blocks</th>
<th>Acreage*</th>
<th>Cost per Acre</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site D-E</td>
<td>23, 24, 25, 32, 33</td>
<td>10.68</td>
<td>$820,035</td>
<td>$8,575,970</td>
</tr>
<tr>
<td>Site C</td>
<td>23, 24, 32</td>
<td>9.04</td>
<td>$286,285</td>
<td>$2,588,018</td>
</tr>
<tr>
<td>Site A</td>
<td>25, 36, 33, 34</td>
<td>8.73</td>
<td>$1,164,952</td>
<td>$10,170,034</td>
</tr>
<tr>
<td>Average</td>
<td></td>
<td>9.48</td>
<td>$756,275</td>
<td>$2,470</td>
</tr>
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</table>

*Acreage and acquisition costs exclude streets and assumes downtown alignment will preserve street access for properties that are not part of the station.

Estimating the cost of right-of-way acquisition for the travel corridor through Stanislaus County required an analysis that sampled the types of properties that will need to be purchased. The right of way needed to accommodate two sets of passenger rail tracks will vary, but is unlikely to exceed 150 feet in width. Due to the current economic situation, property values in Stanislaus County are difficult to ascertain. Comparable values are skewed by foreclosures; property owners under no pressure to sell appear to be waiting for prices to recover before putting their properties on the market. While tax assessments tend to lag comparables, assessed value is a reasonable estimate of potential purchase price at this time. The generous estimate of 150 feet of right of way may balance using assessed values until such time as reliable comparable values become available. For the purpose of estimating right-of-way costs, it was assumed that the passenger rail tracks will lie west of the Union Pacific Railroad throughout Stanislaus County.

Property adjacent to the Union Pacific Railroad is zoned for agriculture, commercial, industrial, residential, and civic/utility uses. Forty percent of the land that would need to be acquired is zoned for agriculture use, while less than 15 percent of the land that would need to be acquired is zoned for residential use. For the purpose of evaluating the cost of right of way acquisition, properties along the possible right of way were sampled and sorted by zone. The data were then sorted into price groups by zone and a weighted average price per acre was estimated, which was applied to the estimated acreage needed for right of way by zone. The results are on Table 3 (next page). This analysis excludes roadways and the station area.
Table 3: Estimated Cost to Acquire Travel Corridor (August 2012)

<table>
<thead>
<tr>
<th>Value Group</th>
<th>Price per Acre</th>
<th>Proportion of Corridor</th>
<th>Acreage Needed</th>
<th>Cost Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture, Low</td>
<td>$25,000 and less</td>
<td>32.1%</td>
<td>125.02</td>
<td>$2,150,344</td>
</tr>
<tr>
<td>Agriculture, High</td>
<td>$150,000 to $150,000</td>
<td>6.9%</td>
<td>26.89</td>
<td>$1,686,003</td>
</tr>
<tr>
<td>Commercial, Low</td>
<td>$250,000 and less</td>
<td>5.7%</td>
<td>22.30</td>
<td>$2,408,400</td>
</tr>
<tr>
<td>Commercial, High</td>
<td>$400,000 to $850,000</td>
<td>11.5%</td>
<td>44.63</td>
<td>$30,317,159</td>
</tr>
<tr>
<td>Industrial, Low</td>
<td>$90,000 to $550,000</td>
<td>16.6%</td>
<td>65.24</td>
<td>$17,392,984</td>
</tr>
<tr>
<td>Industrial, High</td>
<td>$800,000 to $3,000,000</td>
<td>7%</td>
<td>27.39</td>
<td>$49,981,272</td>
</tr>
<tr>
<td>Residential, Low</td>
<td>$300,000 and less</td>
<td>3.9%</td>
<td>15.17</td>
<td>$3,624,113</td>
</tr>
<tr>
<td>Residential, High</td>
<td>$400,000 to $1,400,000</td>
<td>10.8%</td>
<td>42.23</td>
<td>$53,066,218</td>
</tr>
<tr>
<td>Tax exempt, no comparables</td>
<td>$0</td>
<td>5.3%</td>
<td>20.45</td>
<td>$0</td>
</tr>
<tr>
<td>Total</td>
<td>---</td>
<td>100%</td>
<td>389.32</td>
<td>$160,626,493</td>
</tr>
</tbody>
</table>

At current prices, land for the preferred passenger rail station site (Site D-E) would cost approximately $8.8 million. Land for a travel corridor 150 feet wide would cost approximately $160.6 million.
Large transportation projects, such as major roadways and transit capital projects, are typically funded through a variety of sources over multiple years. The Interstate Highway System is a good example of a large multi-decade project, similar to the construction of a new passenger rail system. The Federal Aid Highway Act of 1956 (also known as the National Interstate and Defense Highways Act), authorized the construction of a national system of highways. Construction of the initial system took 35 years. A federal gas tax was established as the initial source of construction funding (Highway Revenue Act of 1956), which was eventually supplemented with motor vehicle taxes, highway tolls, general fund receipts, bonds, property taxes, and other taxes. The initial cost estimate was $25 billion over 12 years, which was revised to $114 billion over 35 years ($425 billion in 2006 dollars). Since its authorization in 1956, the Interstate Highway System has been expanded and construction costs have increased.

The Altamont Commuter Express (ACE) is an existing passenger rail service operating on the Union Pacific Railroad between Stockton and San Jose. Capital expenditures are funded by the Transportation Development Act, Proposition 1B, Alameda County Transportation Commission Measure B, San Joaquin County’s transportation sales tax (Measure K), Federal Transit Administration 5307 and 5309, Build America bonds (issued jointly by the San Joaquin Council of Governments and the San Joaquin Regional Rail Commission), Federal Emergency Management Agency, Santa Clara Valley Transit Authority, Regional Transportation Impact Fees, and Caltrans' Interregional Transportation Improvement Program. Operating expenditures are funded by farebox revenue, San Joaquin County’s transportation sales tax (Measure K), the Transportation Development Act, Federal Transit Authority 5307, Alameda County Transportation Commission Measure B, Santa Clara Valley Transit Authority, employer cost-sharing with shuttle services, and the Bay Area Air Quality Management District’s Transportation Fund for Clean Air.

Similarly, the proposed High-Speed Train System will be funded through a variety of sources. Much of the engineering and environmental work on Phase 1 has been funded through state transportation planning funds. Additionally, the Initial Construction Segment, from Borden (Madera County) to Corcoran (Kings County) has received State Proposition 1A bond funds and $765 million in federal American Recovery and Reinvestment Act (ARRA 2009) funds.

Regionally-Controlled Funds

In order to receive and apportion federal and state funds, StanCOG must prepare a Regional Transportation Plan that identifies regional priorities for transportation. StanCOG’s 2011 Regional Transportation Plan identifies the various federal and state funds available for transportation projects. Federal funds are allocated to the State of California by the federal government. The State of California allocates both federal and state funds to each regional government, of which StanCOG is one. StanCOG’s Policy Board, a body composed of 16 elected officials from the member agencies in Stanislaus County, apportions funding to regionally important projects.
StanCOG’s 2011 Regional Transportation Plan identifies $5 million for planning and technical studies in support of rail service. Funding sources are identified as unspecified grants from the Federal Railroad Administration, the Federal Transit Administration, and a Caltrans Community-Based Transportation Planning Grant. Of these funds, only the Caltrans Community-Based Transportation Planning Grant has been secured by the City of Modesto for the preparation of this passenger rail station feasibility study. Although the earliest possible build year for passenger rail through Stanislaus County is 2015, no funding is apportioned for planning or other purposes in the 2013 Federal Transportation Improvement Program (FTIP) at this time. However, the FTIP can be amended as needed by the StanCOG Policy Board, so regional funding for this project is not precluded.

Funding sources for which a passenger rail station may be eligible are described below.

**Congestion Mitigation and Air Quality**

The purpose of the Congestion Mitigation and Air Quality (CMAQ) Program is to fund transportation projects or programs that will contribute to attainment or maintenance of the National Ambient Air Quality Standards (NAAQS) for ozone and carbon monoxide. Rail and bus capital costs are eligible for funding. This fund is managed by StanCOG, the Metropolitan Planning Organization.

**Federal Transit Administration Section 5307 Program**

The Federal Transit Administration (FTA) Urbanized Area Formula Program, Section 5307 provides funds for public transit in areas having a population greater than 50,000. Eligible projects include planning, engineering design, technical transportation-related studies, capital investments in buses and bus facilities, capital investments in new and existing rail systems. Modesto Area Express is currently the recipient of most FTA 5307 money apportioned in Stanislaus County, which is managed by the Metropolitan Planning Organization.

**Federal Transit Administration Section 5309(b) Program**

This program provides funds for major transit capital investments, new rail projects, new and replacement buses and facilities, and modernization of existing rail projects. This money is managed by Metropolitan Planning Organizations.

**High-Priority Projects/Federal Demonstration**

A demonstration project is established and funded by Congress through federal law. Demonstration projects are part of the periodic transportation authorization acts or the annual transportation appropriations acts. The designated funding can only be used for projects as described in the law; however, demonstration projects may be any type of transportation project.
Interregional Transportation Improvement Program (ITIP)

State-authorized funding may be provided for intercity rail, interregional road or rail expansion projects outside urban areas, or projects of statewide significance. These funds are administered by the California Transportation Commission through Metropolitan Planning Organizations.

Passenger Rail Investment and Improvement Act of 2008 (PRIIA)

PRIIA is administered by the Federal Railroad Administration and the U.S. Department of Transportation. The bill reauthorizes Amtrak and focuses on intercity passenger rail, including high-speed rail corridors. Both capital and operating costs are eligible. These funds are administered through Metropolitan Planning Organizations.

Proposition 1A (Safe, Reliable High-Speed Passenger Train Bond Act of 2008) bonds

Provides $9 billion for construction of Phase 1 of the High Speed Train (Los Angeles to San Francisco). The remaining $950 million will be spent on improvements to local systems that connect locations away from the high speed rail mainline track to the high speed system. These funds will most likely be utilized directly by the State of California, but could be allocated to some Metropolitan Transportation Organizations.

Regional Surface Transportation Program (RSTP)

The Surface Transportation Program (STP) was established by the 1991 Federal Intermodal Surface Transportation Efficiency Act (ISTEA) and continued with the passage of the Transportation Equity Act for the 21st Century (TEA-21) and the TEA-21 Restoration Act in 1998. Capital costs for transit projects eligible for assistance under the Federal Transit Act and publicly-owned intra- or intercity bus facilities are eligible for RSTP funds. This fund is administered by the Metropolitan Planning Organization.

Transportation Development Act (TDA)

The Transportation Development Act, established in 1971, created a statewide 1/4 cent sales tax, referred to as the Local Transportation Fund (LTF) set aside for transit purposes and administered by Metropolitan Planning Organizations. It also created the State Transit Assistance fund (STA), which comes from a portion of the statewide sales tax on diesel fuel. LTF includes a small set-aside for bicycle and pedestrian projects and for regional transportation planning purposes. Both operating and capital expenses are eligible for TDA funding. Transit operators are the primary recipients of these funds.
Transportation Enhancement Program

The Transportation Enhancement Program funds are used to improve the transportation experience. Rather than funding capital investments or maintenance, the Transportation Enhancement Program funds aesthetic improvements to make the transportation more pleasant, rather than just adequate. This fund is administered by the Metropolitan Planning Organization.

Transportation Sales Tax

The State of California’s sales tax rate is 7.25 percent. Local governments have the authority to tax up to an additional 2 percent, for a total of 9.25 percent, by public vote. A sales tax dedicated to a specific purpose must receive a 2/3 affirmative vote to pass. Stanislaus County has added a 1/8 cent tax for libraries for a total sales tax rate of 7.375 percent. Ceres and Oakdale have added a 1/4 cent tax to their local rates, for a total of 7.875 percent. The maximum additional countywide sales tax capacity is 1.375 percent. Should the County vote to levy a transportation sales tax, the funds could be spent on both construction and operations activities.

Locally-Controlled Funds

The City of Modesto controls infrastructure funds that are raised locally. These funds can be used for a variety of purposes, including capital and operating costs. Local funding sources are described below.

Capital Improvement Program (CIP)

The CIP reflects the goals and policies of the Urban Area General Plan by planning, scheduling, and financing public improvement projects citywide. Projects are evaluated and prioritized annually by the CIP Task Force.

Legislative Earmarks

Lobbying efforts can be rewarded by state or federal transportation funding earmarks. This type of funding is usually available for capital improvements, but can also be available for planning work. Modesto has successfully pursued earmarks for the Virginia Avenue Corridor and for the Tuolumne River Regional Park.
Local Benefit District or Surcharge

Modesto may establish a local benefit district for properties most directly benefitted by passenger rail. Similar to other kinds of infrastructure, the City would be required to prepare a study demonstrating the benefit (nexus) and relative size of the benefit, as required by Assembly Bill 1600 (1988). In order for fees of this type to yield the greatest financial benefit, development should be focused on the area of benefit. The City could also establish a surcharge on parking, for example, to help fund capital or operational costs.

Public-Private Partnership

The City of Modesto may enter into a contractual arrangement with one or more private entities to share some of the cost of development in exchange for sharing the financial gain associated with the development.

Transportation Sales Tax

Similar to a countywide transportation sales tax, the City of Modesto may enact a local transportation sales tax to fund both capital and operating costs. As noted above, local agencies have the authority to add up to 2 percent sales tax to the state's 7.25 percent sales tax. Modesto currently is subject to a countywide sales tax of 1/8 cent, leaving a capacity of up to 1.875 percent. A tax of this nature is subject to a 2/3 affirmative vote.
Establishing and operating a successful passenger rail system will require realignment of Modesto’s and the region’s planning priorities and policy efforts.

Existing Policies and Ordinances That Support Downtown Passenger Rail

The Modesto General Plan contains policies that support the development of a downtown passenger rail station. These policies are below.

- Policy III.A.5.c, page III-7. [Goals from the 2007 Modesto Redevelopment Master Plan]
  
  Goal 3: Implement higher density, mixed-use development to create a balanced, vibrant downtown and active neighborhood centers.

  Goal 8: Promote efficient automobile, bicycle, and pedestrian circulation and linkages into and through the Redevelopment Area.

- Policy V.B.6.k(2), page V-10. Inter-regional Rail Service. The City supports the extension of the Altamont Commuter Express (ACE) through the northern San Joaquin Valley and advocates its routing through and a station in downtown Modesto. The City also support the rerouting of San Joaquin rail service to provide service to the downtown area and the intermodal facilities and creation of passenger commuter rail service from Modesto to San Joaquin County, to Sacramento, and over the Altamont Pass to the Bay Area.

- Policy V.B.6.k(4), page V-10. High Speed Rail. The City supports and advocates the development of high speed rail through the San Joaquin Valley and the development of a high speed rail station in downtown.

The Modesto Municipal Code also provides some support for development of a downtown passenger rail station. Title X, Chapter 5, Article 1 limits the applicability of parking regulations to older buildings. Title X, Chapter 7, Article 5 describes a downtown form-based code that will improve conditions for pedestrians in the central portion of downtown. Title X, Chapter 7, Article 5, Section 509, further limits parking requirements in the area regulated by the form-based code. The Municipal Code also provides greater flexibility for the location of parking in downtown than in the rest of Modesto.
Additional Policy Recommendations to Support Downtown Passenger Rail

Below are several policy recommendations to provide even greater support for passenger rail.

Funding Recommendations

- Build support for passenger rail within the StanCOG Policy Board.
- Ensure that passenger rail is included in StanCOG's Sustainable Communities Strategy.
- In consultation with the California High-Speed Rail Authority and the San Joaquin Regional Rail Commission, ensure that StanCOG's constrained funding includes capital for right of way acquisition and construction of a passenger rail station and appurtenant improvements that support ground transportation alternatives to the automobile.
- Identify local funding for a passenger rail station and planning studies.

Land Use Recommendations

- Development around the passenger rail station should follow the principles of transit-oriented development: a diverse and complementary mix of uses, pedestrian-oriented site design, good street design, and parking management.

The passenger rail station will be the center of activity in downtown and the land use and zoning should be reevaluated when the site is selected.

- Develop a comprehensive strategy for addressing historic and potentially historic landmarks.

Focusing development downtown will put many landmarks and potential landmarks at risk for demolition. A comprehensive strategy will add predictability to the development review process, streamline environmental review, and preserve landmarks for future generations.
Chapter Five: Policy Recommendations

Transportation Recommendations

- Comprehensively reconsider the function and transportation priorities of streets around and near the passenger rail station.

- Consider Rerouting SR 132 for truck traffic from 9th Street to 5th Street.
  
  9th Street will experience a large increase in pedestrian and bicycle traffic. For safety, truck traffic should be routed away from 9th Street. StanCOG can facilitate this effort.

- All streets adjacent to the transit center should be two-way streets for transit access.
  
  Transit traffic can more easily enter and exit the site from two-way streets. Two-way traffic also tends to reduce average speeds, improving safety.

- Revise the Circulation Element with respect to non-motorized transportation in and around downtown to establish good bicycle connections to and from the station and to facilitate pedestrian access through curb extensions and generous sidewalks.
  
  Bicycle traffic to, from, and around the station should be facilitated by adding bicycle lanes and bicycle-actuated traffic signals. Pedestrian traffic will increase, particularly around the perimeter of the station and within a five-minute walk of it. Crossing distances should be minimized and sidewalks maximized to promote safety for pedestrians.

- Consider preparing a Transportation Demand Management Plan for downtown.
  
  Transportation Demand Management (TDM) is the application of strategies to reduce travel demand, specifically for single-occupant private vehicles. TDM can be a cost-effective alternative to increasing roadway capacity.

- Consider reorienting local and regional transit service to feed the train station.
  
  More routes, suburban park-and-ride lots, and downtown circulators will help get travelers to and from the station in a timely and convenient manner, without using a car.

- Consider upgrades to bus facilities, such as arrival/departure boards and mobile phone applications such as NextBus.
  
  Increasing the predictability of transit service will give the public more confidence to take the bus downtown instead of driving. These technologies are available and in use today by many transit agencies.
Chapter Five: Policy Recommendations

- Eliminate adjacent on-street parking for security and to allow sidewalks to be widened, curbside access for passenger loading and unloading and safer turning movements for transit vehicles.

  Eliminating on-street parking on streets along the perimeter of the station will increase the right of way available for non-automobile uses, which will facilitate access by bus, bicycle, foot, and taxi.

Parking Recommendations

- Minimize automobile traffic arriving at passenger rail station and needing to park. Develop a parking management strategy including smart meters, parking restrictions, carpool parking, car rental, car sharing, and electric vehicle parking using Redwood City, San Francisco, Oakland, Berkeley, and Pasadena as examples.

  Reducing the demand for parking will increase the development potential in the vicinity of the passenger rail station, reduce traffic congestion, and improve safety for people not traveling by car. All-day parkers use space that would otherwise be available to patrons of local businesses. Daytime on-street parking downtown is currently time-limited (30 minutes, 1 hour, 2 hours), which makes it unusable for train riders. Daytime off-street parking is typically used by downtown employees. A parking strategy that supports passenger rail should seek to make short-term parking available for downtown visitors and reduce the number of people who drive downtown and park all day.

- There should be no free public parking downtown; all parking should be provided at the market rate.

  Free parking creates an incentive to drive and increases the demand for parking. Conversely, charging the market rate for parking reduces the demand for parking, reduces public and private expenditures for parking, and increases development potential.

- Locations of parking structures should be such that they can serve not just the passenger rail station, but also future downtown development, as travel patterns change.

  Parking structures are a significant real estate and financial investment that should be managed to provide the greatest benefit to the largest number of people.
Next Steps: Issues to be Resolved for Phase 2

The State Legislature has decided not to pursue a full high speed train option at this time for Phase 2 and instead wants the California High-Speed Rail Authority to pursue upgrades to existing commuter rail systems that can be linked together. In furtherance of that goal, Assembly Bill 1779 (2012) has granted San Joaquin Valley transportation planning agencies the authority to create a San Joaquin Corridor Joint Powers Authority for the purpose of operating a passenger rail line in the San Joaquin Valley. Currently, this service is provided by Amtrak on the Burlington Northern-Santa Fe Railroad, which connects the east side of Stanislaus County to the East Bay via Antioch and Martinez.

The governing board of the Joint Powers Authority would make decisions about where, when, and how passenger rail service would operate. Should a governing board be established, it would enable the flexibility to establish a passenger rail line on the Union Pacific Railroad, if an agreement can be reached with the railroad.

The CHSRA has not yet selected an alignment and design (at grade or above grade) for the northern San Joaquin Valley. The timing of these decisions is uncertain, but may be anticipated within one or two years. If a San Joaquin Corridor Joint Powers Authority and governing board were established prior to the California High-Speed Rail Authority's decisions on alignment and design, the Joint Powers Authority may be in a position to make decisions about passenger rail service that may influence the CHSRA's decisions.

Modesto should closely monitor the actions of these two groups through continued participation in the Phase 2 Technical Working Group. Modesto's decisions and the timing of investments should be responsive to the CHSRA and Joint Powers Authority. Due to the pending legislation on the Joint Powers Authority and interest in establishing a governing board, it is entirely possible that the Joint Powers Authority will take the lead on passenger rail service. The time frame for the critical decisions affecting passenger rail service in Modesto is probably within the next 12 to 24 months; Modesto should be ready to act.

California High-Speed Rail Authority and San Joaquin Regional Rail Commission

Ridership projections can be developed by CHSRA or SJRRC after decisions have been made regarding the northern San Joaquin Valley alignment and design. This information will allow Modesto to make decisions about station development, station area development, circulation, transit service, and parking.

Depending upon the timing of decisions made by the CHSRA and the San Joaquin Regional Rail Commission, the City of Modesto should consider a course of action that responds to decisions made by those agencies.
Chapter Five: Policy Recommendations

Modesto, 1 to 2 years (prior to decision and action by CHSRA and/or SJRRC):

• Build support for passenger rail station at the StanCOG Policy Board
• Ensure that passenger rail is part of the Sustainable Communities Strategy
• Ensure that passenger rail receives Tier I funding in the Regional Transportation Plan
• Work with StanCOG to study and plan for the rerouting of State Route 132 away from 9th Street

Modesto, 2 to 3 years (after decision by CHSRA and/or SJRRC):

• Identify infrastructure needs
• Select a station site and begin the process of right of way acquisition
• Initiate a parking management study using ridership projections with implementation strategies and policies
• Initiate a transit study using ridership projections to plan for feeder service and an improved Transportation Center, improve communications with patrons
• Initiate a historic resources strategy and policies
Sources

California High-Speed Rail Authority. "Draft HST Station Area Development: General Principles and Guidelines", February 3, 2011.


County of Stanislaus Assessor’s Office. Online records database, accessed August 2012.


### Passenger Rail Station Siting Criteria

#### High Speed Rail Authority/Altamont Commuter Express

<table>
<thead>
<tr>
<th>Criteria</th>
<th>+</th>
<th>O</th>
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</tr>
</thead>
<tbody>
<tr>
<td>1. Higher density within 1/2 mile of station, minimum density requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Mix of land uses and housing types within 1/2 mile of station</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>3. Grid street pattern, pedestrian-oriented design, multi-modal access</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Context-sensitive building design</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Limits on parking for new development; market-rate parking structures</td>
<td></td>
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</table>

#### Modesto

<table>
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<th>Criteria</th>
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<th>--</th>
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<tbody>
<tr>
<td>6. Minimize utility relocation costs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Maximize maintenance of existing street connections</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Minimize right of way costs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Facilitate access by bus/transit, bicycle, foot traffic</td>
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<td></td>
<td></td>
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<tr>
<td>10.</td>
<td></td>
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#### Workshop

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</thead>
<tbody>
<tr>
<td>11. What does Modesto want to become? What/where will development be?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. Avoid large parking lots; improve feeder service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13. Have a plan to relocate transitional industrial development</td>
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City of Modesto, Community and Economic Development Department

Block-by-Block Evaluation of Passenger Rail Station Study Area
A Report for Workshop 2, November 16, 2011

Introduction

This Passenger Rail Station Feasibility Study is Modesto’s initial consideration of where to locate a station in downtown. Transportation infrastructure of all types represents a tremendous investment of public money—StanCOG’s 2011 Regional Transportation Plan (Table 3.1, page 66) estimates that the region will receive approximately $1.8 billion from 2012 to 2021 ($180 million annually) and approximately $2.5 billion from 2022 to 2036 ($167 million annually) from all known sources of revenue. Because the expenditures are substantial, planning must begin by developing generalized studies that become more detailed at every stage of the process. Thus, this effort is fairly general, and is being conducted for the purpose of narrowing options and identifying subsequent steps in the station selection and planning process. This process will also help secure additional funding for the project.

Modesto’s Urban Area General Plan includes a policy to locate a passenger rail station in downtown, but does not identify a specific site (Policy V.B.6.k.4, page V-10). Modesto has limited ability to identify the location of a future passenger rail station, contingent on such variables as the selection of an alignment for a passenger rail system, which is the discretion of the State of California and the California High Speed Rail Authority, with participation from the San Joaquin Regional Rail Authority.

Modesto is located on Phase 2 of the High Speed Rail system, which includes the Altamont Commuter Express. Phase 2 comprises the Los Angeles to San Diego leg, the Merced to Sacramento leg, and upgrading and extending the existing Altamont Commuter Express service. City staff actively participates in regional (Phase 2) rail planning meetings and workshops.

The study area was established in conjunction with the California High Speed Rail Authority. As it is currently conceived, high speed trains will operate at speeds of up to 220 miles per hour. To ensure passenger comfort, a train traveling at such a high rate of speed must run on tracks with very gentle curves. It is this feature that constrains the passenger rail station study area to the 36 blocks that lie roughly between the Union Pacific Railroad and State Route 99. A map of the study area is shown as Figure 1.

On August 10, 2011, the City of Modesto conducted the first workshop for the Passenger Rail Station Feasibility Study. The purpose of this workshop was to present an overview of the project with an emphasis on that portion of the project that will affect Modesto, then to discuss criteria for selecting a location (“siting criteria”) for a future passenger rail station.
The California High Speed Rail Authority has established siting criteria for passenger rail stations. These are identified as criteria 1 through 5 on Figure 2 and on the tables following the narrative report. Modesto has additional criteria for siting a passenger rail station, criteria 6 through 9 on Figure 2 and on the tables following the narrative report.

These criteria were introduced to the public at the first workshop, on August 10. Additional siting criteria were solicited from attendees. The attendees’ remarks seemed to suggest that the siting criteria are essentially adequate, but that there are larger policy issues the city should consider regarding where future development in Modesto should occur. “feeder” transit service, parking lots, relocating land uses, walkability of areas that cross the future rail alignment, station area development and sensitive uses, and comparable situations outside California. These concerns are identified as 11 through 16 on Figure 2. Because they do not specifically assist in evaluating candidate station sites in the study area, they have not been used to evaluate sites, but will be reserved for subsequent discussion of policy.

**Station Area Concept**

For the purpose of evaluating candidate sites, city blocks that lie within the study area, shown as Figure 3, have been numbered. Each block was evaluated individually, however, three or four blocks will need to be assembled for the station. Between 50 feet (minimum) and 100 feet (preferred) of right of way will be required to accommodate northbound and southbound tracks, except in the station area, where four sets of tracks will be required to allow a train to dwell at the platform. Along the 1,400 feet of the platform area, required right of way for trackage is a minimum of 125 feet, with 150 feet preferred; including acceleration and deceleration zones, station-area trackage will extend approximately 4,000 linear feet.

For planning purposes, the estimated minimum station area includes three areas of approximately 300 x 400 feet (one city block) each for a station entry plaza, station house, and transit plaza. Two conceptual station plans are shown on Figure 4. Of course, there are many possible configurations that could have a larger or a smaller footprint, but this provides a point of departure for further planning efforts.
## Passenger Rail Station Siting Criteria

### High Speed Rail Authority/Altamont Commuter Express

1. Higher density within 1/2 mile of station, min. density req.  
2. Mix of land uses and housing types within 1/2 mile of station  
3. Grid street pattern, pedestrian-oriented design, multi-modal access  
4. Context-sensitive building design  
5. Limits on parking for new development; market-rate parking structures

### Modesto

6. Minimize utility relocation costs  
7. Maximize maintenance of existing street connections  
8. Minimize right of way costs  
9. Facilitate access by bus/transit, bicycle, foot traffic  
10.  

### Workshop

11. What does Modesto want to become? What/where will development be?  
12. Avoid large parking lots; improve feeder service  
13. Have a plan to relocate transitional industrial development  
14. Address walkability under and around tracks  
15. Locate sensitive uses appropriately with respect to acceleration/deceleration areas  
16. Learn lessons from a similar city outside CA  
17.  

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Site Evaluation Process

For each block, every criterion was compared to an ideal situation and to the other 35 blocks in the study area. The table that accompanies the list of criteria uses a simple “+,” “0,” “−” to rate each criterion, representing “better than typical,” “typical,” and “worse than typical” ratings. An average rating for the block appears in parentheses just above the table; to develop this number, “+” was assigned 3, “0” was assigned 2, and “−” was assigned 1. The score from each criterion was added up and the total divided by 9. The average score provides a snapshot of staff’s evaluation of the site, but it should not preempt the ratings of workshop attendees.

**Criterion 1:** Higher density within 1/2 mile of station, minimum density requirements
Conventional single-use zoning generally avoids establishing a minimum density, but instead often indirectly establishes maximum density through either parking requirements or floor area ratio. The Downtown Core zone (a form-based code, which regulates the form and disposition of buildings and streets) allows a broad range of uses in a single building and establishes minimum development densities.

Blocks were rated on the basis of whether they lay well within the Downtown Core (DC) zone, on the perimeter of the DC zone, or outside of the DC zone. All of the blocks in the DC zone are in the Transition District, which is the moderate density portion of the DC zone. The DC zone and the Central District may need to be extended to the eventual station area in order to capture as much value from passenger rail as possible.

**Criterion 2:** Mix of land use and housing types within 1/2 mile of station
Both conventional zoning and form-based codes can create a fine-grained mix of land uses. However, form-based codes, like the City’s Downtown Core (DC) zone allow different uses to occur in a single building, creating a market-based fine-grained mix of uses. Mixed development can be created with conventional zoning if different zones lie in close proximity to each other and apply to a small area. Nevertheless, conventional zoning restricts uses more than does a form-based code.

Blocks were rated on whether they lay in or near the Downtown Core zone and whether they lay in or near a relatively good mix of conventional zones.

**Criterion 3:** Grid street pattern, pedestrian orientation, multi-modal access
Modesto’s downtown is laid out in a grid, but the grid is interrupted primarily by State Route 99 (SR 99) and the Union Pacific Railroad (UPRR) right of way, which limit access across those facilities. To a lesser extent, connectivity is reduced by the Modesto & Empire Traction line and by the Tuolumne River, which generally limit access to downtown from south of downtown.

Providing good access to a future station site across SR 99 and UPRR was considered most important, since these facilities divide west and east Modesto. As the largest city in the region and having the highest density population and the best potential for even higher density, Modesto is the principal city of concern in this study.
Criterion 4: Context-sensitive building design
Form-based codes, such as the Downtown Core zone, emphasize regulating building form, disposition, and design, rather than use, resulting in context sensitivity. Conventional zoning regulates the use inside the building, rather than the building's context. Blocks were evaluated based up their location in or near the DC zone.

Criterion 5: Limits on parking for new development, market-rate parking
Modesto does not charge market rates for off-street or on-street parking in downtown, all parking is subsidized at this time. However, in downtown, buildings that are being reused need not provide more parking than is currently provided and shared parking is allowed. Each block received the same rating.

Criterion 6: Minimize utility relocation costs
Most blocks are served by or are adjacent to similar utilities: sewer, water, and stormwater pipes, utility holes, and catchbasins, so utility relocation costs would be similar from one block to another. A few blocks are not adjacent to some utilities and so relocation costs would be lower than for other blocks. Some blocks are adjacent to infrastructure that would be very costly to relocate and are rated accordingly.

Criterion 7: Maximize maintenance of existing street connections
This criterion is related to 3 and 9. Access to the eventual passenger rail station is critical, and the development of passenger rail or a passenger rail station may result in a street closure. Blocks in much of the study area are adjacent to streets that provide access from all sides to the external roadway network, but many have more limited access. If the eventual station is sited on blocks that have more limited access, then consideration should be given to establishing new access points across the UPRR and SR 99, which would be difficult and costly. Higher ratings were given to blocks with good access, lower ratings to blocks with poor access, knowing the difficulty of creating new access points.

Criterion 8: Minimize right of way costs
Some land will need to be purchased in order to construct a passenger rail station and rails. Keeping land costs down will help control project costs. Blocks were rated based on the amount of land in public ownership and the relative values of land and improvements. Where land is vacant, acquisition costs are low. Where land value is higher than the value of improvements (underdeveloped), acquisition costs are moderate. Where the value of improvements exceeds land value, the cost of acquisition is high. Figure 5 shows these relative values.

Criterion 9: Facilitate access by bus/transit, bike, foot traffic
This criterion is related to 7 and was evaluated in a manner very similar to criterion 3. Modesto has limited transit service (30- to 60-minute headways, limited weekend service) and bicycle facilities (there are none in downtown). Some downtown streets, such as 6th and 9th Streets, are wide, have relatively narrow sidewalks, and carry substantial truck traffic. Instead of considering the availability or density of transit, bicycle facilities, and walkability, which are currently limited, roadway connectivity was considered the most important measure of access to a passenger rail site by means other than automobiles, because a dense grid allows good access and appropriate facilities can be added to it as needed.
Downtown Modesto Station Study Area
Vacant and Underutilized Parcels

Properties in Study Area
- Vacant
- Underdeveloped
- Other

- Study Area
- Union Pacific Railroad
- Modesto & Empire Traction Railroad
- Existing At-Grade Rail Crossings
Workshop 2: Prioritizing Block Groups

Because the exact passenger rail alignment has not yet been selected by the California High Speed Rail Authority, workshop attendees will prioritize blocks in such a way that creates a variety of possible choices, depending upon where passenger rail tracks cross downtown Modesto.

Using average ratings and specific information about each block that has been compiled and evaluated by staff and applying their own preferences, attendees will select groups of three contiguous blocks for the blocks that run between numbered streets:

- **Best three contiguous blocks between 9th and 8th Streets**
  Blocks 30, 31, 32, 33, 34, 35, 36

- **Best three contiguous blocks between 8th and 7th Streets**
  Blocks 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29

- **Best three contiguous blocks between 7th and 6th Streets**
  Blocks 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18

Workshop 2: Report on Results

Approximately one dozen people attended the November 16, 2011, workshop. Following the introduction, including an overview of the entire high speed rail project, the attendees were split into three groups and given the instruction above. Staff assisted each group through the prioritization process, particularly by answering questions about site selection criteria and about the rating sheets for each block that follow the body of this report.

Of the three tables, one table declined to prioritize potential station sites. The remaining two tables set priorities. The first of these identified its top three sites as:

1. Blocks 25, 26, 33, and 34 ("Site A")
2. Blocks 28 and 35 ("Site B")
3. Blocks 23, 24, and 32 ("Site C")

The second group identified its priorities as

1. Blocks 32 and 33 ("Site D")
2. Blocks 24 and 25 ("Site E")

This group identified a larger area, including Blocks 22, 23, 24, 25, 26, 31, 32, and 33, as generally good, excepting St. Stanislaus Catholic Church, and so shared some priorities with the first group (Blocks 23, 24, 25, 26, 32, 33). All of the attendees seemed to prefer locating a station away from State Route 99: no group prioritized blocks between 6th and 7th Streets. All of the prioritized blocks avoid the northerly and southerly edges of the study area, as well.
CA Passenger Rail

Downtown Modesto Station Study Area

Preferred Station Sites

Parcels
Block Areas
Study Area
Existing At-Grade Rail Crossings

Site A
Site B
Site C
Site D
Site E

Union Pacific Railroad
Modesto & Empire Traction Railroad

Miles
Block 1: Laurel, N. Washington, N. Jefferson, State Route 99

Passenger Rail Station Siting Criteria

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<th>High Speed Rail Authority/Altamont Commuter Express</th>
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<td>1. Higher density within 1/2 mile of station, minimum density requirements</td>
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Block 1 is privately owned, is divided into eight lots comprising 2.1 acres, and is currently occupied with both houses and commercial buildings. One lot is vacant and one is underdeveloped.

1. Block 1 and adjacent blocks (2, 3, 18, 20) lie near but outside of Modesto’s recently adopted form-based code, which focuses denser development into a 42-block area of downtown. A zone change would be required over a fairly large area.

2. Block 1 is zoned for Commercial-Manufacturing uses and lies in an area surrounded by similar uses and bounded by State Route 99, whose right of way is about 225 feet at that point. Low-density residential development and zoning lie west of SR 99.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. Both of these transportation facilities limit access to Block 1; the only nearby crossing of both facilities is L Street/Maze Boulevard, one block south.

4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line extends down the alley of Block 1 and an 18-inch line lies in N. Jefferson. Four utility holes are adjacent to the block. There is a 12-inch stormwater line in N. Jefferson and partway down the alley. This line has two catchbasins, four utility holes, and one junction in the bounding streets. Block 1 is served with 8-inch water lines in N. Jefferson, N. Washington, and in the alley. In turn, these lines have two valves and two hydrants on the streets adjoining Block 1.

7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is poor at this location.

8. Right of way acquisition would be relatively expensive, as the value of buildings on most of the block exceeds the value of the land.

9. Due to poor connectivity to the external roadway network, multi-modal access will also be poor.
Block 2: N. Washington, M, 7th

Passenger Rail Station Siting Criteria

High Speed Rail Authority/Altamont Commuter Express
1. Higher density within 1/2 mile of station, minimum density requirements
2. Mix of land uses and housing types within 1/2 mile of station
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Block 2 is privately owned, is a single lot of 0.49 acres, and is currently occupied with commercial buildings.

1. Block 2 and adjacent blocks (1, 3, 18, 20, 21) lie near but outside of Modesto’s recently adopted form-based code, which focuses denser development into a 42-block area of downtown. A zone change to allow denser development would be required over a fairly large area.
2. Block 2 is zoned for Commercial-Manufacturing uses and lies in an area surrounded by similar uses and is one block from State Route 99, whose right of way is about 250 feet at that point. Low-density residential development and zoning lie west of SR 99.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. Both of these transportation facilities limit access to Block 2; the only nearby crossing of both facilities is adjacent L Street/Maze Boulevard.
4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. Sewer service to Block 2 is provided via a 4-inch pipe that extends across N. Washington Street from the alley immediately west of Block 2. Three sewer utility holes are adjacent to the block. Block 2 is served with an 8-inch water line in N. Washington and there is another 8-inch line in M Street. These lines have five valves and three hydrants on the adjacent streets.
7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is poor at this location.
8. Right of way acquisition would be relatively expensive, as the value of buildings on the block exceeds the value of the land.
9. Due to poor connectivity to the external roadway network, multi-modal access will also be poor.
Block 3: M, 6th, L, 7th

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Block 3 is privately owned and is divided into 14 lots comprising 2.72 acres. Two lots are vacant and one is occupied with a house; 11 lots are occupied with commercial buildings.

1. Block 3 and some adjacent blocks (2, 20, 21) lie near but outside of Modesto’s recently adopted form-based code, which focuses denser development into a 42-block area of downtown. Blocks 4 and 22, also adjacent to Block 3, lie within the Transition District of the city’s form-based code, an area that allows moderate density. A zone change to allow denser development would be required over a fairly large area.

2. Block 3 is zoned for Commercial-Manufacturing uses and lies in an area surrounded by similar uses, but is also adjacent to property in the form-based code, which can be developed with a variety of uses. State Route 99, whose right of way is about 300 feet at this point, lies adjacent to 6th Street. Low-density residential and commercial zoning lie west of SR 99.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. Both of these transportation facilities limit access to Block 3; the only nearby crossing of both facilities is adjacent L Street/Maze Boulevard.

4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 3 from the alley and an 8-inch line is in L Street. There are three utility holes adjacent to the site. A 12-inch stormwater pipe serves 6th Street and an 18-inch pipe serves L Street. There are three stormwater utility holes and four catchbasins adjacent to Block 3. Eight-inch water lines lie in the alley, M and L Streets, and 7th Street, which include four valves and three hydrants adjacent to the property.

7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is poor at this location.

8. Right of way acquisition would be relatively expensive, as the value of buildings on most of the block exceeds the value of the land.

9. Due to poor connectivity to the external roadway network, multi-modal access will also be poor.
Block 4: L, 6th, K, 7th

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Block 4 is privately owned and is divided into 12 lots comprising 2.72 acres. Three lots are vacant and one is occupied with a house; seven lots are occupied with commercial buildings.

1. Block 4 and some adjacent blocks (5, 22, 23) lie within the moderate-density Transition District of the recently adopted form-based code, which focuses denser development into a 42-block area of downtown. Blocks 3 and 21, also adjacent to Block 4, are in the Commercial Manufacturing zone. Expanding the form-based code and changing the station area to Central District, which allows the highest density, is desirable.

2. Block 4 is regulated by a form-based code, which allows a wide variety of uses, including residential. The area north of the site is zoned Commercial Manufacturing and Industrial. State Route 99, whose right of way is about 300 feet at this point, lies adjacent to 6th Street and limits the surrounding development potential. The area west of SR 99 is zoned for commercial and high density residential development.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. L and K Streets crosses both SR 99 and the Union Pacific.

4. This block lies within the area regulated by the city's form-based code, which focuses on context sensitivity.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 4 from the alley and there is an 8-inch line in L and 6th Streets. There are four sewer utility holes adjacent to the site. An 18-inch stormwater pipe serves L Street and there are two stormwater utility holes and three catchbasins adjacent to Block 4. There is a 4-inch water line in the alley and 8- and 12-inch lines in L Street, which include six valves and two hydrants adjacent to the property.

7. Street connectivity to this block is good and must be maintained.

8. Right of way acquisition would be relatively expensive, as the value of buildings on most of the block exceeds the value of the land.

9. Good connectivity to the external roadway network will facilitate good multi-modal access.
Block 5: K, 6th, J, 7th

Passenger Rail Station Siting Criteria

High Speed Rail Authority/Altamont Commuter Express
1 Higher density within 1/2 mile of station, minimum density requirements
2 Mix of land uses and housing types within 1/2 mile of station
3 Grid street pattern, pedestrian-oriented design, multi-modal access
4 Context-sensitive building design
5 Limits on parking for new development; market-rate parking structures

Modesto
6 Minimize utility relocation costs
7 Maximize maintenance of existing street connections
8 Minimize right of way costs
9 Facilitate access by bus/transit, bicycle, foot traffic

Block 5 is privately owned and is divided into 11 lots comprising 2.75 acres. One lot is vacant and six are occupied with houses; four lots are occupied with commercial buildings.

1. Block 5 and the adjacent blocks (4, 6, 22, 23, 24) lie within the moderate-density Transition District of the recently adopted form-based code, which focuses denser development into a 42-block area of downtown. Changing the station area to Central District, which allows the highest density, is desirable.
2. Block 5 is regulated by a form-based code, which allows a wide variety of uses, including residential. The area north of the site is zoned Commercial Manufacturing and Industrial. State Route 99, whose right of way is about 325 feet at this point, lies adjacent to 6th Street and limits the surrounding development potential. Land west of SR 99 is zoned for commercial and high density residential use.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. L, K, and I Streets cross both SR 99 and the Union Pacific.
4. This block lies within the area regulated by the city's form-based code, which focuses on context sensitivity.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. A 6-inch sewer line serves Block 5 from the alley; there are 8-inch lines in J and 6th Streets and an 18-inch line in J Street. There are seven sewer utility holes adjacent to the site. There is no stormwater infrastructure on or adjacent to this block. There is a 4-inch water line in the alley, which includes three valves and two hydrants adjacent to the property.
7. Street connectivity to this block is good and must be maintained.
8. Right of way acquisition would be relatively expensive, as the value of buildings on most of the block exceeds the value of the land.
9. Good connectivity to the external roadway network will facilitate good multi-modal access.
Block 6: J, 6th, I, 7th

Passenger Rail Station Siting Criteria

High Speed Rail Authority/Altamont Commuter Express
1 Higher density within 1/2 mile of station, minimum density requirements
2 Mix of land uses and housing types within 1/2 mile of station
3 Grid street pattern, pedestrian-oriented design, multi-modal access
4 Context-sensitive building design
5 Limits on parking for new development; market-rate parking structures

Modesto
6 Minimize utility relocation costs
7 Maximize maintenance of existing street connections
8 Minimize right of way costs
9 Facilitate access by bus/transit, bicycle, foot traffic

Block 6 is privately owned and is divided into 11 lots comprising 2.75 acres. One lot is vacant and five are occupied with houses; five lots are occupied with commercial buildings.

1. Block 6 and the adjacent blocks (5, 7, 23, 24, 25) lie within the moderate-density Transition District of the recently adopted form-based code, which focuses denser development into a 42-block area of downtown. Changing the station area to Central District, which allows the highest density, is desirable.
2. Block 6 is regulated by a form-based code, which allows a wide variety of uses, including residential. State Route 99, whose right of way is about 325 feet at this point, lies adjacent to 6th Street and limits the surrounding development potential. Land west of SR 99 is zoned for commercial and high density residential use.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. L, K, and I Streets cross both SR 99 and the Union Pacific.
4. This block lies within the area regulated by the city’s form-based code, which focuses on context sensitivity.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. A 6-inch sewer line serves Block 6 from the alley; there are an 8- and an 18-inch line in I Street, a 21-inch line in 6th Street, and a 27-inch line in 7th Street. There are seven sewer utility holes adjacent to the site. There is limited stormwater infrastructure adjacent to this block in I Street, including a pipe of unknown or variable diameter in I Street with three catchbasins and two utility holes. There is a 4-inch water line in the alley, which includes two hydrants adjacent to the property, and a water main of undefined size in I Street.
7. Street connectivity to this block is good and must be maintained.
8. Right of way acquisition would be relatively expensive, as the value of buildings on most of the block exceeds the value of the land.
9. Good connectivity to the external roadway network will facilitate good multi-modal access.
Block 7: I, 6th, H, 7th

Passenger Rail Station Siting Criteria

High Speed Rail Authority/Altamont Commuter Express
1. Higher density within 1/2 mile of station, minimum density requirements
2. Mix of land uses and housing types within 1/2 mile of station
3. Grid street pattern, pedestrian-oriented design, multi-modal access
4. Context-sensitive building design
5. Limits on parking for new development; market-rate parking structures

Modesto
6. Minimize utility relocation costs
7. Maximize maintenance of existing street connections
8. Minimize right of way costs
9. Facilitate access by bus/transit, bicycle, foot traffic

Block 7 is privately owned and is divided into eight lots comprising 2.78 acres. Two lots are vacant and two are occupied with houses; four lots are occupied with commercial buildings.

1. Block 7 and the adjacent blocks (6, 8, 24, 25, 26) lie within the moderate-density Transition District of the recently adopted form-based code, which focuses denser development into a 42-block area of downtown. Changing the station area to Central District, which allows the highest density, is desirable.
2. Block 7 is regulated by a form-based code, which allows a wide variety of uses, including residential. State Route 99, whose right of way is about 300 feet at this point, lies adjacent to 6th Street and limits the surrounding development potential. Land west of SR 99 is zoned for commercial use.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. I, H, and G Streets cross both SR 99 and the Union Pacific Railroad.
4. This block lies within the area regulated by the city’s form-based code, which focuses on context sensitivity.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. A 6-inch sewer line serves Block 7 from the alley; there is a 10-inch line in H Street, a 21-inch line in 6th Street, and a 27-inch line in 7th Street. There are six sewer utility holes adjacent to the site. There are 12-inch stormwater lines in H, I, and 7th Streets fed by 15 catchbasins and served by five utility holes. There is a 4-inch water line in the alley, a main line of undefined size in I Street, and an 8-inch line in H Street. There are three hydrants adjacent to the property.
7. Street connectivity to this block is good and must be maintained.
8. Right of way acquisition would be relatively expensive, as the value of buildings on most of the block exceeds the value of the land.
9. Good connectivity to the external roadway network will facilitate good multi-modal access.
Passenger Rail Station Siting Criteria

**High Speed Rail Authority/Altamont Commuter Express**
1. Higher density within 1/2 mile of station, minimum density requirements
2. Mix of land uses and housing types within 1/2 mile of station
3. Grid street pattern, pedestrian-oriented design, multi-modal access
4. Context-sensitive building design
5. Limits on parking for new development; market-rate parking structures

**Modesto**
6. Minimize utility relocation costs
7. Maximize maintenance of existing street connections
8. Minimize right of way costs
9. Facilitate access by bus/transit, bicycle, foot traffic

Block 8 is privately owned and is divided into nine lots comprising 2.74 acres. One lot is occupied with a house; the remaining seven lots are occupied with commercial buildings.

1. Block 8 and the adjacent blocks (7, 9, 25, 26, 27) lie within the moderate-density Transition District of the recently adopted form-based code, which focuses denser development into a 42-block area of downtown. Changing the station area to Central District, which allows the highest density, is desirable.
2. Block 8 is regulated by a form-based code, which allows a wide variety of uses, including residential. State Route 99, whose right of way is about 310 feet at this point, lies adjacent to 6th Street and limits the surrounding development potential. Land west of SR 99 is zoned for commercial and higher-density residential use.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. I, H, and G Streets cross both SR 99 and the Union Pacific Railroad.
4. This block lies within the area regulated by the city’s form-based code, which focuses on context sensitivity.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. A 6-inch sewer line serves Block 8 from the alley; there is a 10-inch line in H Street, a 21-inch line in 6th Street, and a 27-inch line in 7th Street. There are six sewer utility holes adjacent to the site. There are 12-inch stormwater lines in G, H, and 7th Streets fed by 12 catchbasins and served by four utility holes. There is a 4-inch water line in the alley, a 12-inch line in G Street, and an 8-inch line in G and 6th Streets. There are three hydrants adjacent to the property.
7. Street connectivity to this block is good and must be maintained.
8. Right of way acquisition would be relatively expensive, as the value of buildings on most of the block exceeds the value of the land.
9. Good connectivity to the external roadway network will facilitate good multi-modal access.
Block 9: G, 6th, F, 7th

Passenger Rail Station Siting Criteria

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</table>

Modesto

| 6 Minimize utility relocation costs | X | | |
| 7 Maximize maintenance of existing street connections | X | | |
| 8 Minimize right of way costs | X | | |
| 9 Facilitate access by bus/transit, bicycle, foot traffic | X | | |

Block 9 is privately owned and is divided into seven lots comprising 2.72 acres. One lot is vacant; the remaining six lots are occupied with commercial buildings.

1. Block 9 and the adjacent blocks (8, 10, 26, 27, 28) lie within the moderate-density Transition District of the recently adopted form-based code, which focuses denser development into a 42-block area of downtown. Changing the station area to Central District, which allows the highest density, is desirable.

2. Block 9 is regulated by a form-based code, which allows a wide variety of uses, including residential. State Route 99, whose right of way is about 300 feet at this point, lies adjacent to 6th Street and limits the surrounding development potential. Land west of SR 99 is zoned for commercial and medium and medium-high density residential use.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. H and G Streets cross both SR 99 and the Union Pacific Railroad.

4. This block lies within the area regulated by the city's form-based code, which focuses on context sensitivity.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 9 from the alley; there is a 15-inch line in F Street, a 21-inch line in 6th Street, and a 27-inch line in 7th Street. There are six sewer utility holes adjacent to the site. There is a 12-inch stormwater lines in G Street and a 14-inch line in 7th Street fed by four catchbasins and served by three utility holes. There is a 4-inch water line in the alley, a 12-inch line in G Street, and main lines in 7th and F Streets of undefined size. There are five hydrants adjacent to the property.

7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is poor at this location.

8. Right of way acquisition would be relatively expensive, as the value of buildings on most of the block exceeds the value of the land.

9. Due to modest connectivity to the external roadway network, multi-modal access will also be modest.
Passenger Rail Station Siting Criteria

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<td>8. Minimize right of way costs</td>
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</table>

Block 10 is privately owned and is divided into eight lots comprising 2.75 acres. One lot is occupied with a house and two lots are vacant; the remaining five lots are occupied with commercial buildings.

1. Block 10 and adjacent Blocks 11 and 28 are regulated by conventional zoning, which does not establish minimum densities. Development on adjacent Blocks 9 and 27 lie within the Transition District of the Downtown Core zone, which establishes minimum densities. A zone change to allow denser development would be required over a fairly large area.

2. Block 10 is zoned for commercial and industrial uses and lies in an area surrounded by similar uses, but is also adjacent to property in the form-based code, which can be developed with a variety of uses. State Route 99, whose right of way is about 310 feet at this point, lies adjacent to 6th Street. Medium-density residential and commercial zoning lie west of SR 99.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. G Street crosses both SR 99 and the Union Pacific.

4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 10 from the alley; there is a 15-inch line in F Street, a 21-inch line in 6th Street, and a 30-inch line in 7th Street. There are six sewer utility holes adjacent to the site. There is a 12-inch stormwater line in E Street and a 16-inch line in 7th Street fed by four catchbasins and served by four utility holes. There is a 4-inch water line in the alley and main lines in 7th, F, and E Streets of undefined size. There are five hydrants and five water valves adjacent to the property.

7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is poor at this location.

8. Right of way acquisition would be relatively inexpensive, as the value of improvements on most of the block is lower than the land value.

9. Due to poor connectivity to the external roadway network, multi-modal access will also be poor.
Block 11: E, 6th, D, 7th

Passenger Rail Station Siting Criteria

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</table>

Block 11 is privately owned and is divided into nine lots comprising 2.75 acres. One lot is occupied with a house; the remaining eight lots are occupied with commercial buildings.

1. Block 11 is zoned for higher-density residential and industrial use. Adjacent blocks (10, 12, 13, 15, 28) are zoned for commercial use, in addition to higher-density residential and industrial use. Changing the station area to a form-based code to encourage a mix of uses throughout the area is desirable.

2. Block 11 is zoned for higher-density residential and industrial uses and is surrounded by a reasonable variety of zoning. State Route 99, whose right of way is about 400 feet at this point, lies adjacent to 6th Street. Medium-density residential zoning lies west of SR 99.

3. Downtown Modesto has a grided street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area.

4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 11 from the alley; there is a 21-inch line in 6th Street, a 30-inch line in 7th Street, and a 10-inch line in D Street. There are six sewer utility holes adjacent to the site. There is a 12-inch stormwater line in E Street and a 16-inch line in 7th Street fed by five catchbasins and served by four utility holes. There is a 6-inch water line in the alley and a main in E Street. There are three hydrants and one valve adjacent to the property.

7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is poor at this location.

8. Right of way acquisition would be relatively expensive, as the value of buildings on most of the block exceeds the value of the land.

9. Due to poor connectivity to the external roadway network, multi-modal access will also be poor.
Block 12: D, 6th, State Route 99

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Block 12 is privately owned and comprises a single 0.19-acre lot occupied with a commercial building.

1. Block 12 is zoned for higher-density residential use. Adjacent blocks (11, 13, 15, 28) are zoned for residential and industrial use. Changing the station area to a form-based code to encourage a mix of uses throughout the area is desirable.

2. Block 12 is zoned for higher-density residential use and is surrounded by a variety of zoning. State Route 99, whose right of way is about 370 feet at this point, lies adjacent to Block 12. Medium-density residential zoning lies west of SR 99.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area.

4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 12 from D Street; there is also a 21-inch line in 6th Street. There are two sewer utility holes adjacent to the site. There is no stormwater infrastructure adjacent to the site. Water infrastructure is very limited in the vicinity of the site.

7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is poor at this location.

8. Right of way acquisition would be relatively expensive, as the value of buildings on most of the block exceeds the value of the land.

9. Due to poor connectivity to the external roadway network, multi-modal access will also be poor.
Block 13: D, 6th, Sierra, State Route 99

Passenger Rail Station Siting Criteria

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<td>9 Facilitate access by bus/transit, bicycle, foot traffic</td>
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</table>

Block 13 is privately owned and is divided into four lots comprising 0.75 acres. Three lots are occupied with houses; the remaining lot is occupied with a church.

1. Block 13 is zoned for higher-density residential use. Adjacent blocks (11, 12, 14, 15, 16, 17) are zoned for commercial manufacturing, industrial, and residential use. Changing the station area to a form-based code to encourage a mix of uses throughout the area is desirable.

2. Block 13 is zoned for higher-density residential and industrial uses and is surrounded by a reasonable variety of zoning that favors industrial use. State Route 99, whose right of way is about 375 feet at this point, lies adjacent to 6th Street. Residential zoning lies west of SR 99.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area. B Street crosses the railroad near Block 13 and crosses SR 99 at a more distant location. Sierra Drive also crosses SR 99.

4. This block lies outside of the area regulated by the city's form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 13 from the alley; there is a 10-inch line in D Street and a 21-inch line in 6th Street. There are five sewer utility holes adjacent to the site. There is no stormwater infrastructure adjacent to Block 13. There is an 8-inch water line in Sierra Drive and there is one hydrant adjacent to the property.

7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is moderately good at this location.

8. Right of way acquisition would be relatively expensive, as the value of buildings on the block exceeds the value of the land.

9. Due to moderately good connectivity to the external roadway network, multi-modal access will also be moderately good.
Block 14: Sierra, Calaveras, State Route 99

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</table>

Block 14 is privately owned and is divided into three lots comprising 0.63 acres. All three lots are occupied with houses.

1. Block 14 is zoned for higher-density residential use. Adjacent blocks (13, 15, 16, 17) are zoned for industrial and residential use. Changing the station area to a form-based code to encourage a mix of uses throughout the area is desirable.

2. Block 14 is zoned for higher-density residential and industrial uses and is surrounded by similar uses. State Route 99, whose right of way is about 300 feet at this point, lies adjacent to the site. Residential zoning lies west of SR 99.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad, State Route 99, and the Tuolumne River, which constrain access to this area. B Street crosses the railroad near Block 14 and crosses SR 99 at a more distant location. 7th Street, near the site, crosses the Tuolumne River. Sierra Drive also crosses SR 99.

4. This block lies outside of the area regulated by the city's form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 14 from the alley and there is a 21-inch line in Calaveras Street. There are three sewer utility holes adjacent to the site. There is no stormwater infrastructure adjacent to Block 14. There is a water line in the alley and an 8-inch line in Sierra Drive and there is one hydrant adjacent to the property.

7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is moderate at this location.

8. Right of way acquisition would be relatively expensive, as the value of buildings on the block exceeds the value of the land.

9. Due to moderately good connectivity to the external roadway network, multi-modal access will also be moderately good.
Block 15: D, 6th, C, 7th

Passenger Rail Station Siting Criteria

High Speed Rail Authority/Altamont Commuter Express
1. Higher density within 1/2 mile of station, minimum density requirements
2. Mix of land uses and housing types within 1/2 mile of station
3. Grid street pattern, pedestrian-oriented design, multi-modal access
4. Context-sensitive building design
5. Limits on parking for new development; market-rate parking structures

Modesto
6. Minimize utility relocation costs
7. Maximize maintenance of existing street connections
8. Minimize right of way costs
9. Facilitate access by bus/transit, bicycle, foot traffic

Block 15 is privately owned and is divided into 11 lots comprising 2.73 acres. Six lots are occupied with houses and five are occupied with commercial buildings.

1. Block 15 is zoned for higher-density residential and industrial use. Adjacent blocks (11, 12, 13, 14, 15, 16, 17) are zoned for industrial, commercial-manufacturing, and residential use. Changing the station area to a form-based code to encourage a mix of uses throughout the area is desirable.
2. Block 15 is zoned for higher-density residential and industrial uses and is surrounded by similar uses. State Route 99, whose right of way is about 300 feet at this point, is just a block away. Residential zoning lies west of SR 99.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area. B Street crosses the railroad near Block 15 and crosses SR 99 at a more distant location. Sierra Drive also crosses SR 99.
4. This block lies outside of the area regulated by the city's form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. A 6-inch sewer line serves Block 15 from the alley. There is also a 10-inch line in D Street, a 21-inch line in 6th Street, and a 33-inch line in 7th Street. There are six sewer utility holes adjacent to the site. There is a 42-inch stormwater line in 7th Street and one utility hole. There is a 6-inch water line in the alley and there are two hydrants adjacent to the site.
7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is moderate at this location.
8. Right of way acquisition would be relatively expensive, as the value of most improvements on the block exceeds the value of the land.
9. Due to moderate connectivity to the external roadway network, multi-modal access will also be moderate.
Block 16: C, 7th, Sierra

Passenger Rail Station Siting Criteria

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</table>

Block 16 is privately owned, comprising one 0.21 acre-lot, which is occupied with commercial buildings.

1. Block 16 is zoned for commercial manufacturing use. Adjacent blocks (14, 15, 17, 29) are zoned for industrial, commercial-manufacturing, and residential use. Changing the station area to a form-based code to encourage a mix of uses throughout the area is desirable.

2. Block 16 is zoned for commercial manufacturing use and is surrounded by residential and industrially zoned land. State Route 99, whose right of way is about 375 feet at this point, is just a block away. Residential zoning lies west of SR 99.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area. B Street crosses the railroad near Block 15 and crosses SR 99 at a more distant location. Sierra Drive also crosses SR 99.

4. This block lies outside of the area regulated by the city's form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 15 from the alley. There is also a 10-inch line in D Street, a 21-inch line in 6th Street, and a 33-inch line in 7th Street. There are six sewer utility holes adjacent to the site. There is a 42-inch stormwater line in 7th Street and one utility hole. There is a 6-inch water line in the alley and there are two hydrants adjacent to the site.

7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is moderate at this location.

8. Right of way acquisition would be relatively expensive, as the value of most improvements on the block exceeds the value of the land.

9. Due to moderately good connectivity to the external roadway network, multi-modal access will also be moderately good.
Block 17: Calaveras, 7th, Sierra

Passenger Rail Station Siting Criteria

High Speed Rail Authority/Altamont Commuter Express
1 Higher density within 1/2 mile of station, minimum density requirements
2 Mix of land uses and housing types within 1/2 mile of station
3 Grid street pattern, pedestrian-oriented design, multi-modal access
4 Context-sensitive building design
5 Limits on parking for new development; market-rate parking structures

Modesto
6 Minimize utility relocation costs
7 Maximize maintenance of existing street connections
8 Minimize right of way costs
9 Facilitate access by bus/transit, bicycle, foot traffic

Block 17 is privately owned, comprising 1.23 acres in two lots and part of a second lot. One lot is occupied with a house, while the other two are occupied with commercial buildings. The configuration of this “block” is an artifact of the study area boundary.

1. Block 17 is zoned for office and commercial manufacturing. Adjacent blocks (13, 14, 15, 16, 29) are zoned for industrial, commercial-manufacturing, and residential use. Changing the station area to a form-based code to encourage a mix of uses throughout the area is desirable.
2. Block 17 is zoned for office and commercial manufacturing use and is surrounded by residential and industrially zoned land. State Route 99, whose right of way is about 310 feet at this point, is just a block away. Residential zoning lies west of SR 99.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad, State Route 99, and the Tuolumne River, which constrain access to this area. B Street crosses the railroad near Block 15 and crosses SR 99 at a more distant location. Sierra Drive also crosses SR 99 and 7th Street crosses the Tuolumne River.
4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. An 8-inch sewer line serves Block 17 from the alley and a 6-inch line crosses part of the block. There is also a 21-inch line in Calaveras Street and a 33-inch line in 7th Street. There are four sewer utility holes adjacent to the site. There is a 42-inch stormwater line in 7th Street, including two catchbasins and two utility holes. There is a water line in the alley and an 8-inch line in Sierra Drive; there is one hydrant adjacent to the site.
7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is moderate at this location.
8. Right of way acquisition would be relatively expensive, as the value of most improvements on the block exceeds the value of the land.
9. Due to moderately good connectivity to the external roadway network, multi-modal access will also be moderately good.
Block 18: Elm, N. Washington, Laurel, N. Jefferson

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</table>

Block 18 comprises 2.39 acres in nine lots. Two lots are owned by the City of Modesto and the rest are privately owned. Four lots are occupied by houses and one is vacant; the other four lots are occupied with commercial buildings.

1. Block 18 is zoned for commercial manufacturing. Adjacent blocks (1, 2, 19, 20) are zoned for industrial and commercial-manufacturing use. Changing the station area to a form-based code to encourage a mix of uses throughout the area is desirable.

2. The immediate area of Block 18 is zoned for commercial manufacturing and industrial use; residentially zoned land lies west of State Route 99 and commercial land lies east of the Union Pacific Railroad.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area. The closest crossing is L Street, two blocks south.

4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 18 from the alley and a 18-inch line lies in N. Jefferson. There are four sewer utility holes adjacent to the site. There is a 12-inch stormwater line in N. Jefferson Street, including three catchbasins and two utility holes. There is a water line in the alley and in Elm Street, as well as an 8-inch line in N. Washington Street; there are six valves, and two hydrants adjacent to the site.

7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is poor at this location.

8. Right of way acquisition would be relatively expensive, as the value of most improvements on the block exceeds the value of the land, although two properties are publicly-owned.

9. Due to poor connectivity to the external roadway network, multi-modal access will also be poor.
Passenger Rail Station Siting Criteria

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</table>

Block 19 comprises 3.25 acres in two lots owned by the City of Modesto. The site is part of the city’s corporation yard and is occupied by industrial buildings.

1. Block 19 is zoned for commercial manufacturing. Adjacent blocks (18, 20) are zoned for industrial and commercial-manufacturing use. Changing the station area to a form-based code to encourage a mix of uses throughout the area is desirable.
2. The immediate area of Block 19 is zoned for commercial manufacturing and industrial use; residentially zoned land lies west of State Route 99 and commercial land lies east of the Union Pacific Railroad.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area. The closest crossing is L Street, two blocks south.
4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. A 16-inch sewer line serves Block 19 from N. Jefferson and there is a lift station located on the site. There are four sewer utility holes adjacent to the site. There are 12-inch stormwater lines in N. Jefferson and 8th Streets. There are seven catchbasins and five stormwater utility holes. There are water lines in N. Jefferson and Elm Streets and an 8-inch line in 8th Street. There are three valves and two hydrants adjacent to the site.
7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is poor at this location.
8. Right of way acquisition would be relatively inexpensive, as the entire block is publicly owned and the buildings are relatively low-value structures.
9. Due to poor connectivity to the external roadway network, multi-modal access will also be poor.
Block 20: 7th, N. Washington, 8th, M

Passenger Rail Station Siting Criteria

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<td>2.</td>
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</tr>
<tr>
<td>3.</td>
<td>Grid street pattern, pedestrian-oriented design, multi-modal access</td>
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<tr>
<td>4.</td>
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<tr>
<td>5.</td>
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Modesto

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<td>8.</td>
<td>Minimize right of way costs</td>
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<td>9.</td>
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<td>X</td>
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</table>

Block 20 comprises 3.31 acres in seven lots. One lot is owned by the Modesto Irrigation District, which has an electrical substation there; the other six are privately owned.

1. Block 20 is zoned for industrial and commercial manufacturing uses. Adjacent blocks (2, 3, 18, 19, 21) are zoned similarly. Changing the station area to a form-based code to encourage a mix of uses throughout the area is desirable.
2. The immediate area of Block 20 is zoned for commercial manufacturing and industrial use; residentially zoned land lies west of State Route 99 and commercial land lies east of the Union Pacific Railroad.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area. The closest crossing is L Street, one block south.
4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. A 6-inch sewer line serves Block 20 from the alley; another 6-inch line serves the block from 7th Street. There are six sewer utility holes adjacent to the site. There is a 12-inch stormwater line in M Street and a 15-inch stormwater line in 8th Street. There are three catchbasins and five stormwater utility holes. The block is served by a 4-inch line from the alley and there are 8-inch lines in N. Washington and M Streets. There are two hydrants adjacent to the site.
7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is poor at this location.
8. Right of way acquisition would be relatively expensive, as most of block is privately held and the publicly-owned piece is occupied by an electrical substation.
9. Due to poor connectivity to the external roadway network, multi-modal access will also be poor.
Block 21: L, 7th, M, 8th

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</tbody>
</table>

Block 21 comprises 2.73 acres in 25 privately-held lots, including an 18-unit commercial condominium. Three vacant lots are the former site of Modesto Steam; the remaining lots are occupied with commercial buildings.

1. Block 21 is zoned for industrial and commercial manufacturing uses. Adjacent blocks (2, 3, 20) are zoned similarly, however blocks 4 and 22 lie within the Transitional District of Modesto’s form-based code. Changing the station area to a form-based code to facilitate a mix of uses throughout the area is desirable.

2. The immediate area of Block 21 is zoned for commercial manufacturing and industrial use; residentially zoned land lies west of State Route 99 and commercial land lies east of the Union Pacific Railroad.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area. The closest crossing of these facilities is adjacent L Street.

4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 21 from the alley and there is an 8-inch line in L Street. There are four sewer utility holes adjacent to the site. There is a 12-inch stormwater line in M Street, a 15-inch stormwater line in 8th Street, and an 18-inch line in L Street. There are seven catchbasins and four stormwater utility holes. The block is served by a 4-inch line from the alley and there are 8-inch lines in L, M, and 7th Streets, as well as another 12-inch line in L Street. There are two hydrants and four valves adjacent to the site.

7. In order for this block to be used for a passenger rail station, maintenance and enhancement of street connectivity would be the highest priority, as existing connectivity is moderately good at this location.

8. Right of way acquisition would be relatively expensive, as the entire block is privately held.

9. Due to moderately good connectivity to the external roadway network, multi-modal access will also be moderately good.
Block 22: K, 7th, L, 8th

Passenger Rail Station Siting Criteria

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Block 22 comprises 2.77 acres in five lots. Two small lots are owned by the City of Modesto and three large lots are privately held. Modesto operates a well (#3) at this site, however, the well has been contaminated by PCE from Modesto Steam and is not currently operating. The City plans to remediate the well. The privately-owned lots are occupied with commercial buildings.

1. Block 22 and some adjacent blocks (4, 5, 23, 31) lie within the moderate-density Transition District of the recently adopted form-based code, which focuses denser development into a 42-block area of downtown. Blocks 3, 21, and 30, also adjacent to Block 22, are in the commercial manufacturing and industrial zones. Changing the station area to Central District, which allows the highest density, is desirable.

2. The immediate vicinity of Block 22 allows a variety of uses, although the single-nse zones north of the site are more restrictive than the form-based code. Residentially-zoned land lies west of State Route 99. The high-density Central District two blocks west of the site.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area. Both L and K Streets cross both facilities, providing good connectivity.

4. Block 22 is regulated by the city’s form-based code, which focuses on context sensitivity. The form-based code could be expanded to nearby areas to allow better station-area development.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 22 from the alley and there is an 8-inch line in L Street, as well as a 27-inch line in K Street. There are five sewer utility holes adjacent to the site. There is an 18-inch line in L Street and a 12-inch line in the alley. There are four catchbasins and three stormwater utility holes adjacent to the block. The block is served by a 12-inch water line from the alley and there are 8- and 12-inch water lines in L Street, as well as 6- and 12-inch lines in K Street. There are eight valves adjacent to the site.

7. Street connectivity is good and must be maintained.

8. Right of way acquisition would be relatively expensive, as most of the block is privately held.

9. Good connectivity to the external roadway network will result in good multi-modal access.
Block 23: K, 7th, J, 8th

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</table>

Block 23 comprises 2.75 acres in four privately-owned lots. One lot is occupied by historic St. Stanislaus Cathedral (1910) and the remaining lots are occupied with commercial buildings.

1. Block 23 and adjacent blocks (4, 5, 6, 22, 24, 31, 32) lie within the moderate-density Transition District of the recently adopted form-based code, which focuses denser development into a 42-block area of downtown. Changing the station area to Central District, which allows the highest density, is desirable.
2. The immediate vicinity of Block 23 allows a variety of uses, although the single-use zones north of the site are more restrictive than is the form-based code. Commercial and residentially-zoned land lies west of State Route 99. The high-density Central District is two blocks west of the site.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area. L, K, and I Streets cross both facilities, providing good connectivity.
4. Block 23 is regulated by the city’s form-based code, which focuses on context sensitivity. The form-based code could be expanded to nearby areas to allow better station-area development.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. A 6-inch sewer line serves Block 23 from the alley. There are also a 27-inch line in K Street, an 8- and an 18-inch line in J Street, and a 27-inch line in 7th Street and seven sewer utility holes adjacent to the site. There is no stormwater infrastructure adjacent to the site. The block is served by a 12-inch water line from the alley and there are 6- and 12-inch lines in K Street. There are six valves and one hydrant adjacent to Block 23.
7. Street connectivity is good and must be maintained.
8. Right of way acquisition would be relatively expensive, as most of the block is privately held.
9. Good connectivity to the external roadway network will result in good multi-modal access.
Block 24: J, 7th, I, 8th

Passenger Rail Station Siting Criteria

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Block 24 comprises 2.75 acres in eight privately-owned lots. Two lots are vacant, one is occupied with a house, and five are occupied with commercial buildings.

1. Block 24 and adjacent blocks (5, 6, 7, 23, 25, 31, 32) lie within the moderate-density Transition District of the recently adopted form-based code, which focuses denser development into a 42-block area of downtown. Changing the station area to Central District, which allows the highest density, is desirable.
2. The immediate vicinity of Block 24 allows a variety of uses, although the single-use zones north of the site are more restrictive than is the form-based code. Commercial and residentially-zoned land lies west of State Route 99. The high-density Central District is two blocks west of the site.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area. Nearby K, I, and H Streets cross both facilities, providing good connectivity.
4. Block 24 is regulated by the city’s form-based code, which focuses on context sensitivity. The form-based code could be expanded to nearby areas to allow better station-area development.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. A 6-inch sewer line serves Block 24 from the alley. There is also a 27-inch line in 7th Street, a 10-inch line in 8th Street, and 8- and 18-inch lines in J Street, as well as six sewer utility holes adjacent to the site. There is minimal stormwater infrastructure adjacent to the site, in the form of a line of unknown diameter in I Street served by three adjacent catchbasins and two utility holes. The block is served by a 12-inch water line from the alley and a main in I Street. There is one adjacent valve and one adjacent hydrant.
7. Street connectivity is good and must be maintained.
8. Right of way acquisition would be relatively expensive, as the block is privately held.
9. Good connectivity to the external roadway network will result in good multi-modal access.
Block 25: I, 7th, H, 8th

Passenger Rail Station Siting Criteria

High Speed Rail Authority/Altamont Commuter Express
1. Higher density within 1/2 mile of station, minimum density requirements
2. Mix of land uses and housing types within 1/2 mile of station
3. Grid street pattern, pedestrian-oriented design, multi-modal access
4. Context-sensitive building design
5. Limits on parking for new development; market-rate parking structures

Modesto
6. Minimize utility relocation costs
7. Maximize maintenance of existing street connections
8. Minimize right of way costs
9. Facilitate access by bus/translate, bicycle, foot traffic

Block 25 comprises 2.82 acres in eight privately-owned lots. One lot is vacant and seven are occupied with commercial buildings.

1. Block 25 and adjacent blocks (6, 7, 8, 24, 26, 32, 33, 34) lie within the moderate-density Transition District of the recently adopted form-based code, which focuses denser development into a 42-block area of downtown. Changing the station area to Central District, which allows the highest density, is desirable.
2. The immediate vicinity of Block 25 allows a variety of uses. Commercially-zoned land lies west of State Route 99. The high-density Central District is two blocks west of the site.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area. Nearby I, H, and G Streets cross both facilities, providing good connectivity.
4. Block 25 is regulated by the city's form-based code, which focuses on context sensitivity. The form-based code could be expanded to nearby areas to allow better station-area development.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. A 6-inch sewer line serves Block 25 from the alley. There is also a 27-inch line in 7th Street, a 10-inch line in 8th Street, and a 10-inch line in H Street, as well as four sewer utility holes adjacent to the site. There is a 12-inch stormwater collection pipe in 7th Street served by three adjacent catchbasins and two utility holes. The block is served by a 12-inch water line from the alley and an 8-inch water line in H Street. There are four adjacent valves and three adjacent hydrants.
7. Street connectivity is good and must be maintained.
8. Right of way acquisition would be relatively expensive, as the block is privately held.
9. Good connectivity to the external roadway network will result in good multi-modal access.
Block 26: H, 7th, G, 8th

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Block 26 comprises 2.72 acres in 14 privately-owned lots. Four lots are vacant, two are occupied by houses, and eight are occupied with commercial buildings.

1. Block 26 and adjacent blocks (7, 8, 9, 25, 27, 33, 34, 35) lie within the moderate-density Transition District of the recently adopted form-based code, which focuses denser development into a 42-block area of downtown. Changing the station area to Central District, which allows the highest density, is desirable.

2. The immediate vicinity of Block 26 allows a variety of uses. Commercial and residentially-zoned land lies west of State Route 99. The high-density Central District is two blocks west of the site.

3. Downtown Modesto has a grid street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area. Nearby I, H, and G Streets cross both facilities, providing good connectivity.

4. Block 26 is regulated by the city’s form-based code, which focuses on context sensitivity. The form-based code could be expanded to nearby areas to allow better station-area development.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 26 from the alley. There is also a 27-inch line in 7th Street, a 10-inch line in H Street, as well as four sewer utility holes adjacent to the site. There is a 12-inch stormwater collection pipe in 7th Street fed by two adjacent catchbasins and two utility holes. The block is served by a 12-inch water line from the alley. There is also a 12-inch water line in G Street and an 8-inch line in H Street. There are four adjacent valves and one adjacent hydrant.

7. Street connectivity is good and must be maintained.

8. Right of way acquisition would be relatively inexpensive, as the value of buildings on the block is generally less than the value of the land.

9. Good connectivity to the external roadway network will result in good multi-modal access.
Block 27: G, 7th, F, 8th

Passenger Rail Station Siting Criteria

| High Speed Rail Authority/Altamont Commuter Express | | |
| 1 Higher density within 1/2 mile of station, minimum density requirements | + | 0 |
| 2 Mix of land uses and housing types within 1/2 mile of station | X | |
| 3 Grid street pattern, pedestrian-oriented design, multi-modal access | X | |
| 4 Context-sensitive building design | X | |
| 5 Limits on parking for new development; market-rate parking structures | + | 0 |

| Modesto | |
| 6 Minimize utility relocation costs | X |
| 7 Maximize maintenance of existing street connections | X |
| 8 Minimize right of way costs | X |
| 9 Facilitate access by bus/transit, bicycle, foot traffic | |

Block 27 comprises 2.75 acres in nine privately-owned lots. Two lots are vacant and seven are occupied with commercial buildings.

1. Block 27 and adjacent blocks (8, 9, 26, 34, 35) lie within the moderate-density Transition District of the recently adopted form-based code, which focuses denser development into a 42-block area of downtown. Blocks 10 and 28 are zoned for industrial use. Changing the station area to Central District, which allows the highest density, is desirable.

2. The immediate vicinity of Block 27 allows a variety of uses, including industrial development adjacent and commercial and residentially-zoned land west of State Route 99. The high-density Central District is two blocks west of the site.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99, which constrain access to this area. Nearby H and G Streets cross both facilities, providing good connectivity.

4. Block 27 is regulated by the city’s form-based code, which focuses on context sensitivity. The form-based code could be expanded to nearby areas to allow better station-area development.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. A 6-inch sewer line serves Block 27 from the alley. There is also a 27-inch line in 7th Street and a 15-inch line in F Street, as well as five sewer utility holes adjacent to the site. There is a 14-inch stormwater collection pipe in 7th Street fed by two adjacent catchbasins and two utility holes. The block is served by a 4-inch water line from the alley. There is also a 12-inch water line in G Street and a main line in F Street. There are four adjacent valves and three adjacent hydrants.

7. Street connectivity is good and must be maintained.

8. Right of way acquisition would be relatively expensive, as the block is privately held and the value of buildings on most lots exceeds the value of the land.

9. Good connectivity to the external roadway network will result in good multi-modal access.
Block 28: F, 7th, Union Pacific

Passenger Rail Station Siting Criteria

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Block 28 comprises 5.86 acres in five privately-owned lots. One lot is vacant and four are occupied with commercial buildings.

1. Block 28 and adjacent blocks (10, 11, 15, 29, 35, 26) lie outside the form-based code. Adjacent Blocks 9 and 27 are included in the moderate density Transition District of the Downtown Core zone, which has minimum density requirements. Changing the station area to Central District, which allows the highest density, is desirable.

2. The immediate vicinity of Block 28 allows a variety of uses, including industrial development adjacent and commercial and residentially-zoned land west of State Route 99. The Downtown Core zone, which allows a variety of uses, lies north of and adjacent to the site.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad, State Route 99, and the Tuolumne River. G Street crosses both SR 99 and the Union Pacific Railroad. Sierra Drive also crosses SR 99, providing good connectivity. 7th and 9th Streets cross the Tuolumne River.

4. This block lies outside of, but adjacent to, the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area to allow better station-area development.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. Sewer lines adjacent to Block 28 include a 30-33-inch line in 7th Street, a 15-inch line in F Street, and 10-inch and 27-inch sewer lines crossing midblock. There are eight sewer utility holes adjacent to or on the site. There is a 16-to-42-inch stormwater collection pipe in 7th Street and a 42-inch pipe crossing midblock. These lines are fed by one adjacent catchbasin and one utility hole. There are water lines in 7th Street and in F Street. There are three adjacent valves and two adjacent hydrants.

7. Street connectivity is moderately good and must be maintained.

8. Right of way acquisition would be relatively inexpensive, as the value of buildings on most lots is less than the value of the land.

9. Moderately good connectivity to the external roadway network will result in moderately good multi-modal access.
Block 29: Union Pacific, B, M&ET, Beard

Passenger Rail Station Siting Criteria

High Speed Rail Authority/Altamont Commuter Express
1. Higher density within 1/2 mile of station, minimum density requirements
2. Mix of land uses and housing types within 1/2 mile of station
3. Grid street pattern, pedestrian-oriented design, multi-modal access
4. Context-sensitive building design
5. Limits on parking for new development; market-rate parking structures

Modesto
6. Minimize utility relocation costs
7. Maximize maintenance of existing street connections
8. Minimize right of way costs
9. Facilitate access by bus/transit, bicycle, foot traffic

Block 29 comprises a single 1.06-acre, privately-owned lot, that is occupied by commercial buildings.

1. Block 29 and adjacent blocks (15, 16, 28, 36) lie outside the Downtown Core zone, which has minimum density requirements. This block is zoned for industrial use; areas nearby include various residential densities, commercial, and commercial manufacturing uses. Changing the station area to Central District, which allows the highest density and has minimum density requirements, is desirable.
2. The immediate vicinity of Block 29 allows a variety of uses, as noted above. The Downtown Core zone, which allows a variety of uses in a single building, lies north of F Street.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad, Modesto & Empire Traction, State Route 99, and the Tuolumne River. B Street crosses both SR 99 and the Union Pacific Railroad. Sierra Drive also crosses SR 99 and 7th Street crosses the Tuolumne River. Because of this block’s adjacency to two railroad rights of way, it is particularly difficult to access.
4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area to allow better station-area development.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. Sewer lines adjacent to Block 29 include 4-inch lines in B Street and an 8-inch line in Beard Street. There are two sewer utility holes adjacent to the site. There is no stormwater infrastructure adjacent to Block 29. There is a 6-inch water line in Beard Street and a water main in B Street. There is one hydrant adjacent to the block.
7. Street connectivity is poor. This site could be included in the station, but access must be improved.
8. Right of way acquisition would be relatively inexpensive, as the block is privately held and the land value exceeds the value of buildings.
9. Poor connectivity to the external roadway network will result in poor multi-modal access.
Block 30: Union Pacific, Needham overpass, 9th, L

Passenger Rail Station Siting Criteria

High Speed Rail Authority/Altamont Commuter Express
1. Higher density within 1/2 mile of station, minimum density requirements
2. Mix of land uses and housing types within 1/2 mile of station
3. Grid street pattern, pedestrian-oriented design, multi-modal access
4. Context-sensitive building design
5. Limits on parking for new development; market-rate parking structures

Modesto
6. Minimize utility relocation costs
7. Maximize maintenance of existing street connections
8. Minimize right of way costs
9. Facilitate access by bus/transit, bicycle, foot traffic

Block 30 is a 6.68-acre block that is divided into seven lots, of which six are privately owned and one is owned by the City of Modesto. There is one vacant lot, the rest are occupied by commercial buildings.

1. Block 30 and adjacent blocks (19, 20, 21) lie outside the Downtown Core zone, which has minimum density requirements. This block is zoned for industrial use; areas nearby also allow commercial manufacturing and commercial uses. Adjacent Blocks 22 and 31 are in the Transitional District of the Downtown Core zone, which has minimum density requirements. Changing the station area to Central District, which allows the highest density, is desirable.
2. The immediate vicinity of Block 30 allows a variety of uses, as noted above. The Downtown Core zone, which allows a variety of uses in a single building, lies south of L Street.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. Adjacent L Street crosses both of these facilities. The block’s adjacency to the Union Pacific right of way generally limits access, however, the long frontage of the block could be used to good advantage.
4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area to allow better station-area development.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. Sewer lines adjacent to Block 30 include 16-inch line that crosses midblock, a 27-inch line and an 8-inch line in 9th Street, and an 8-inch line in L Street. There are 15 sewer utility holes adjacent to the site. There is a 36-42-inch stormwater collection pipe in 9th Street, served by five catchbasins and eight utility holes. There is an 8-inch water line in 9th Street and a 12-inch line in L Street. There are one valve and four hydrants adjacent to the block.
7. Street connectivity is moderately good.
8. Right of way acquisition would be relatively inexpensive, as the block is privately held and the land value often exceeds the value of buildings on a particular lot.
9. Moderately good connectivity to the external roadway network will result in moderately good multi-modal access.
Block 31: Union Pacific, L, 9th, K

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Block 31 is a single-lot, 1.63-acre block that is currently owned by the City of Modesto and is developed with a parking structure. The City has a contract with the Doubletree Hotel that authorizes joint use of the City-owned structure, but which surrenders use to the Doubletree Hotel around 2020.

1. Block 31 and adjacent blocks (22, 23, 32) lie within the Transition District of the Downtown Core zone, which has minimum density requirements. Adjacent blocks 30 and 21 are zoned for industrial and commercial manufacturing uses. Extending the Central District to the station, just a block away, which allows the highest density, is desirable. Alternatively, this structure could be used by patrons of passenger rail if changes were made to the existing contract with the Doubletree Hotel.

2. The immediate vicinity of Block 31 allows a variety of uses, as noted above. The Downtown Core zone, which allows a variety of uses in a single building, regulates the area south of L Street.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. Adjacent L and K Streets cross both of these facilities.

4. This block lies in the Transition District of the Downtown Core zone, which focuses on context sensitivity.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. Sewer lines adjacent to Block 31 include 8-inch lines in L and 9th Streets and a 27-inch line in K Street. There are five sewer utility holes adjacent to the site. There is an 18-inch stormwater collection pipe in L Street and a 42-inch pipe in 9th Street, as well as a pipe in K Street, which are served by two adjacent catchbasins and six adjacent utility holes. There is a 12-inch line in L Street, another water line in 9th Street and two water mains in K Street. There are three valves and two hydrants adjacent to the block.

7. Street connectivity is good.

8. Right of way acquisition would be relatively inexpensive, as the block is owned entirely by the City of Modesto and the value of the parking structure is less than the value of the land.

9. Good connectivity to the external roadway network will result in good multi-modal access.
Block 32: Union Pacific, K, 9th, I

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Block 32 is a single-lot 3.54-acre block that is currently owned by the City of Modesto and is the site of the City’s transit center. The site is occupied in part by the historically significant Southern Pacific Railroad Depot (1915), which is on the City’s Landmark Preservation list (#19).

1. Block 32 and adjacent blocks (22, 23, 24, 25, 31, 33) lie within the Transition District of the Downtown Core zone, which has minimum density requirements. Extending the Central District to the station, just a block away, which allows the highest density, is desirable.
2. The immediate vicinity of Block 32 allows a variety of uses. The Downtown Core zone, which allows a variety of uses in a single building, regulates development in the area.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. Adjacent K and I Streets cross both of these facilities.
4. This block lies in the Transition District of the Downtown Core zone, which focuses on context sensitivity.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. Sewer lines adjacent to Block 32 include 27-inch line in K Street, 8- and 12-inch lines in 9th Street, 8- and 18-inch lines crossing the site, and a 4-inch line serving the site from I Street. There are nine sewer utility holes adjacent to the site. There is a 42-inch stormwater collection pipe in 9th Street, as well as a pipe stubs in K and I Streets, which are served by five adjacent catchbasins and four adjacent utility holes. There are two water mains in K Street, a main in I Street, and a main in 9th Street. Another main traverses the site parallel to 9th Street. There are eight valves and five hydrants adjacent to or on Block 32.
7. Street connectivity is good.
8. Right of way acquisition would be relatively inexpensive, as the block is owned entirely by the City of Modesto.
9. Good connectivity to the external roadway network will result in good multi-modal access.
Block 33: Union Pacific, I, 9th, H

**Passenger Rail Station Siting Criteria**

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<tr>
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**Modesto**

| 6 Minimize utility relocation costs |
| 7 Maximize maintenance of existing street connections |
| 8 Minimize right of way costs |
| 9 Facilitate access by bus/transit, bicycle, foot traffic |

Block 33 is a privately-owned 1.57-acre block divided into two lots. Each lot is occupied by a commercial building.

1. Block 33 and adjacent blocks (24, 25, 26, 32, 34) lie within the Transition District of the Downtown Core zone, which has minimum density requirements. Extending the Central District to the station, just a block away, which allows the highest density, is desirable.
2. The immediate vicinity of Block 33 allows a variety of uses. The Downtown Core zone, which allows a variety of uses in a single building, regulates development in the area.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. Adjacent I and H Streets cross both of these facilities.
4. This block lies in the Transition District of the Downtown Core zone, which focuses on context sensitivity.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. Sewer lines adjacent to Block 33 include a 12-inch line in 9th Street and a 12-inch line in H Street. There are three sewer utility holes adjacent to the site. There is a 42-inch stormwater collection pipe in 9th Street, as well as 12-inch pipe stubs in I and H Streets, which are served by two adjacent catchbasins and three adjacent utility holes. There is a water main in I Street and one in 9th Street. There are two hydrants adjacent to Block 33.
7. Street connectivity is good.
8. Right of way acquisition would be relatively expensive, as the block is privately-owned and building values are roughly equal to land values.
9. Good connectivity to the external roadway network will result in good multi-modal access.
Block 34: Union Pacific, H, 9th, G

Passenger Rail Station Siting Criteria

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Block 34 is a privately-owned 1.62-acre block divided into four lots. Each lot is occupied by a commercial building.

1. Block 34 and adjacent blocks (25, 26, 27, 33, 35) lie within the Transition District of the Downtown Core zone, which has minimum density requirements. Extending the Central District to the station, just a block away, which allows the highest density, is desirable.
2. The immediate vicinity of Block 34 allows a variety of uses. The Downtown Core zone, which allows a variety of uses in a single building, regulates development in the area.
3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. Adjacent I and H Streets cross both of these facilities.
4. This block lies in the Transition District of the Downtown Core zone, which focuses on context sensitivity.
5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.
6. Sewer lines adjacent to Block 34 include a 12-inch line in H Street and a 14-inch line in 9th Street. There are four sewer utility holes adjacent to the site. There is a 42-inch stormwater collection pipe in 9th Street, as well as a 12-inch pipe in H Street, which are served by three adjacent catchbasins and three adjacent utility holes. There is a water main in 9th Street and a 12-inch water line in G Street. There is one hydrant adjacent to Block 34.
7. Street connectivity is good.
8. Right of way acquisition would be relatively expensive, as the block is privately-owned and building values are roughly equal to land values.
9. Good connectivity to the external roadway network will result in good multi-modal access.
Block 35: Union Pacific, G, 9th, D

Passenger Rail Station Siting Criteria

High Speed Rail Authority/Altamont Commuter Express
1. Higher density within 1/2 mile of station, minimum density requirements
2. Mix of land uses and housing types within 1/2 mile of station
3. Grid street pattern, pedestrian-oriented design, multi-modal access
4. Context-sensitive building design
5. Limits on parking for new development; market-rate parking structures

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Block 35 is a privately-owned 8.05-acre block divided into five lots. Three lots are vacant and two are occupied by commercial buildings.

1. One-third of Block 35 and adjacent blocks (26, 27, 34) lie within the Transition District of the Downtown Core zone, which has minimum density requirements. Two-thirds of Block 35 and adjacent Blocks 28 and 36 lie outside the Downtown Core zone and are regulated by conventional zoning, which does not establish minimum densities. Extending the Central District to the station, just a block away, which allows the highest density, is desirable.

2. The immediate vicinity of Block 35 allows a variety of uses. One-third of the block allows various uses in a single building, as do surrounding blocks to the north, west, and east, all of which lie in the Downtown Core zone. Two-thirds of Block 35 and the blocks to the south are zoned for industrial use.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad and State Route 99. Adjacent I and H Streets cross both of these facilities.

4. One-third of this block lies in the Transition District of the Downtown Core zone, which focuses on context sensitivity, hence the hybrid rating for this criterion.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. Sewer lines adjacent to Block 35 include a 14-16-inch line in 9th Street, a 10-inch and a 27-inch sewer line in D Street, and a 15-inch line crossing the site midblock. There are 15 sewer utility holes adjacent to the site. There is a 42-inch stormwater collection pipe in 9th Street and a 42-inch pipe in D Street, which are served by three adjacent catchbasins and five adjacent utility holes. There is a 12-inch water line in G Street, and water mains in both 9th and D Streets. There are three hydrants adjacent to Block 35.

7. Street connectivity is moderately good.

8. Right of way acquisition would be relatively inexpensive; although the block is privately-owned, improvement values are generally less than land values.

9. Moderately good connectivity to the external roadway network will result in moderately good multi-modal access.
Block 36: M&ET/Beard, D, 9th, B

Passenger Rail Station Siting Criteria

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Block 36 is a single-lot, privately-owned 9.1-acre block that is occupied by commercial buildings.

1. Block 36 and adjacent blocks (15, 16, 19, 35) lie outside the Downtown Core zone, which establishes minimum density requirements, and are instead regulated by conventional zoning, which does not establish minimum densities. Extending the Central District to the station is desirable.

2. The immediate vicinity of Block 36 allows a variety of uses in limited-use zones. Most properties are zoned for industrial use, but areas nearby are also zoned for commercial manufacturing, commercial, higher density residential, and low density residential uses.

3. Downtown Modesto has a gridded street pattern. However, the grid is interrupted by the Union Pacific Railroad, Modesto & Empire Traction, State Route 99, and the Tuolneme River. Adjacent B Street crosses the Union Pacific and SR 99; Sierra Drive also crosses SR 99. Both 9th and 7th Streets cross the Tuolneme River.

4. This block lies outside of the area regulated by the city’s form-based code, which focuses on context sensitivity. A form-based code could be prepared for this area to allow better station-area development.

5. At this time, Modesto does not limit parking or charge market rates. In downtown, parking can be shared to reduce the total supply. Adaptive reuse of existing buildings does not require compliance with parking ratios that apply outside of downtown.

6. Sewer lines adjacent to Block 36 include a 10-inch and a 27-inch sewer line in D Street, an 8-inch line in Beard Street, a 6-inch sewer line in D Street, a 16-inch line in 9th Street, and a 6-inch line on that extends onto the site. There are 12 sewer utility holes adjacent to the site. There is a 42-inch stormwater collection pipe in D Street, which is served by four adjacent catchbasins and three adjacent utility holes. There are several water lines adjacent to Block 36, including water mains in 9th, D, and B Streets and a 6-inch line in Beard Street. Three hydrants are adjacent to the site.

7. Street connectivity is moderately good.

8. Right of way acquisition would be relatively expensive because the block is privately-owned and improvement values are higher than land values.

9. Moderately good connectivity to the external roadway network will result in moderately good multi-modal access.
City of Modesto, Community and Economic Development Department

**Passenger Rail Feasibility Study**
**Ranking Preferred Station Locations: Site and Circulation Plans**
*A Report for Workshop 3, June 20, 2012*

**Background**

This Passenger Rail Station Feasibility Study is Modesto’s initial consideration of where to locate a station in downtown. Transportation infrastructure of all types represents a tremendous investment of public money—StanCOG’s 2011 Regional Transportation Plan (Table 3.1, page 66) estimates that the region will receive approximately $1.8 billion from 2012 to 2021 ($180 million annually) and approximately $2.5 billion from 2022 to 2036 ($167 million annually) from all known sources of revenue. Virtually all of this money is planned for road construction at this time; none of the money is currently allocated for passenger rail.

Because transportation expenditures are substantial, planning must begin by developing generalized studies that become more detailed at every stage of the process. Thus, this effort is fairly general, and is being conducted for the purpose of narrowing options and identifying subsequent steps in the station selection and planning process.

Modesto’s Urban Area General Plan includes a policy to locate a passenger rail station in downtown, but does not identify a specific site (Policy V.B.6.k.4, page V-10). Modesto has limited ability to identify the location of a future passenger rail station, contingent on such variables as the selection of an alignment for a passenger rail system, which is the discretion of the State of California and the California High Speed Rail Authority, with participation from the San Joaquin Regional Rail Authority.

Modesto is located on Phase 2 of the High Speed Rail system, which includes the Altamont Commuter Express. Phase 2 comprises the Los Angeles to San Diego leg, the Merced to Sacramento leg, and upgrading and extending the existing Altamont Commuter Express service. City staff actively participates in regional (Phase 2) rail planning meetings and workshops.

On August 10, 2011, the City of Modesto conducted the first workshop for the Passenger Rail Station Feasibility Study. The purpose of this workshop was to present an overview of the project with an emphasis on that portion of the project that will affect Modesto, then to discuss criteria for selecting a location (“siting criteria”) for a future passenger rail station.

Attendees at Workshop 2, held on November 16, 2011, identified five sites preferred for a passenger rail station, shown on Figure 1. Subsequent review of these sites by staff eliminated Site B from further review and combined Sites D and E into Site D/E, for a total of three sites.
Introduction

The purpose of Workshop 3 is to rank the potential passenger rail station sites from most preferred to least preferred.

There are currently two vertical alignments under consideration for the northern San Joaquin Valley, in accordance with the California High Speed Rail Authority’s revised business plan. The term “vertical alignment” refers to the elevation of the rail line: “above grade” is raised above street level, “at grade” is at street level, and “below grade” is in a trench or tunnel underground. In the northern San Joaquin Valley, passenger rail is expected to be either at grade or above grade, so both situations must be considered.

The revised business plan considers lower-cost alternatives to the immediate full implementation of High Speed Rail, focusing on interim upgrades to existing passenger rail service in California, which includes Altamont Commuter Express and Amtrak in the northern San Joaquin Valley. An interim upgrade may result in at-grade passenger rail service through Modesto, using either track space leased from Union Pacific Railroad or on dedicated parallel right of way. The completion of high speed train service in California may include an above-grade alignment, which would allow for higher speed service on a dedicated right of way.

Station Elements

The selected site must accommodate a Station Entry Plaza, Station House, and Transit Plaza, which include the following functions:

Station Entry Plaza The entry plaza includes most of the functions for pre-boarding and departure, excepting functions in the transit plaza. Ticketing, curbside drop off (kiss-and-ride), bicycle parking, and entry lobby are all included.

Station House This area accommodates train arrivals and departures on platforms for passenger arrivals and departures. Through train traffic also passes through the station house.

Transit Plaza In this area, buses arrive and depart with passengers.

Evaluating Preferred Sites

Five sites were identified for further study by participants in Workshop 2 (November 16, 2011). The five sites are identified in no particular order as A, B, C, D, and E. The sites are illustrated on Figure 1. Each site has benefits (pros) and drawbacks (cons), as described below.
Site A: Blocks 25, 26, 33, and 34

Site A forms a rectangular area bounded by 7th, 9th, G, and I Streets, spanning the Union Pacific Railroad right of way, 8th Street, and H Street. Site A has a minimum area of 8.73 acres.

Pros  
- gridded streets, connections across SR 99
- Downtown Core zone
- adequately sized and centrally located
- wide variety of uses within a half mile of the site (residential, civic, industrial, entertainment, restaurants, shopping)

Cons  
- straddles H Street, which might need to be closed at site
- acquisition costs relatively high, compared to other sites

Site B: Blocks 28 and 35

This site is an irregular polygon bounded by 9th, D, 7th, F, 8th, and G Streets, spanning the Union Pacific Railroad right of way. Site B is a minimum of 13.91 acres.

Pros  
- edge of the downtown industrial area
- wide variety of uses within a half mile of the site (residential, commercial, civic, entertainment, and industrial uses)
- large site not crossed by streets

Cons  
- blocks are large and streets are poorly connected locally and across SR 99
- uses within a half mile of the site are weighted toward industrial and park
- lower development potential in vicinity due to a large-scale food processing plant

Site C: Blocks 23, 24, and 32

This site forms a rectangle bounded by K, 9th, I, and 7th Streets and spanning the Union Pacific Railroad right of way. Site C has a minimum area of 9.04 acres.

Pros  
- Downtown Core zone
- Relatively low utility relocation costs
- gridded streets, connections across SR 99
- wide variety of uses within a half mile of the site (residential, civic, industrial, entertainment, restaurants, shopping)

Cons  
- acquisition costs relatively high, compared to other sites
- part of Block 23 is occupied by St. Stanislaus church, reducing usable area
Site D: Blocks 32 and 33

This site is bounded by 9th, H, and K Streets and the Union Pacific Railroad right of way. Site D has a minimum area of 5.11 acres.

Pros
- gridded streets, connections across SR 99
- Downtown Core zone
- wide variety of uses within a half mile of the site (residential, civic, industrial, entertainment, restaurants, shopping)
- lower acquisition costs, compared to other sites

Cons
- small site
- straddles I Street, which may need to be closed at the site

Site E: Blocks 24 and 25

Site E is bounded by 7th, J, 8th, and H Streets. Site E has a minimum area of 5.57 acres.

Pros
- gridded streets, connections across SR 99
- Downtown Core zone
- wide variety of uses within a half mile of the site (residential, civic, industrial, entertainment, restaurants, shopping)

Cons
- small site
- straddles I Street, which may need to be closed at the site
- relatively high acquisition costs, compared to other sites

Although Site B (Blocks 28 and 35) is the largest of the sites, its location away from bridges crossing State Route 99 and the Union Pacific Railroad right of way, limited the ability of Site B to stimulate investment on the west side of State Route 99 within a five-minute walk of the site. Therefore, Site B was eliminated from further consideration.

Sites D (Blocks 32 and 33) and E (Blocks 24 and 25) are the smallest sites: both comprise two city blocks, rather than the minimum three blocks needed. Rather than eliminate these sites, staff decided to combine these two sites into a single large site comprising 10.68 acres and referred to as Site D/E.

Three sites, Site A, Site C, and Site D/E, will be evaluated further.
Conceptual Site and Area Planning

With the selection of three sites for further evaluation (Site A, Site C, Site D/E), the work of planning the area around the sites can begin. Several components must be considered: pedestrian sheds or area of greatest influence, transportation access, parking, historic and potential historic buildings, development types and densities, and street-rail interface for at-grade tracks.

Pedestrian Sheds

A pedestrian shed or "ped shed" is a concept similar to a commute shed: it is the area that may be covered by walking at a comfortable pace, usually measured in time from a center or an area of greatest influence. Intuitively, the area in which a person can easily walk from a center within a short period of time is likely to receive the highest volume of pedestrian traffic. The ped shed is also an area of greatest influence for the passenger rail station that has implications for parking, property values, and business locations. For this study, we have used the most common ped shed of five minutes. Most people can comfortably walk about a quarter mile in five minutes. Five-minute ped sheds for Sites A, C, and D/E are shown below (Figures 2, 3, and 4).

Parking

As shown on Figure 5, there is a substantial amount of parking in the study area. The City of Modesto currently owns or operates approximately 2,600 off-street parking spaces and owns enough curb space to park approximately 3,200 cars on street, for a total of approximately 5,800 spaces within the three-site study area.

Parking demand varies substantially over the course of a day. During business hours, long-term parking is needed for employees and short-term parking for customers and visitors. On-street parking is most commonly used for short-term automobile storage, while off-street parking is most commonly used for long-term storage. Public parking, both on- and off-street, can be used flexibly to satisfy all of these needs.

Important considerations:

Demand for stand-alone parking changes with use, development intensity, and travel mode.

- Modesto's form-based code allows intensification of development with minimal parking requirements.
- New development is expected to comprise substantial residential development which will allow better utilization of existing parking.
- As rail ridership increases, parking demand in the station area will also increase if transit does not provide convenient access to the station with short headways.
Figure 2

Site A Walk Map

Figure 3

Site C Walk Map
Parking built to accommodate rail riders can eventually be repurposed to serve other downtown users as parking demand declines.

Modern parking management will be necessary to reduce parking demand. Reducing the number of people driving downtown alone will require a long-range strategy that includes metered parking, flexible market-rate prices for parking, high-frequency transit service, reduced parking ratios, and other strategies.

**Site A** As shown on Figure 6, there are approximately 2,300 off-street parking spaces and approximately 1,700 on-street parking spaces within a five-minute walk of Site A, for a conservative estimate of 4,000 spaces. Surface parking lots within a five-minute walk of Site A, accounting for 485 spaces, would certainly be removed when passenger rail is established, for a net of approximately 3,500 spaces if no additional parking is constructed.

**Site C** Figure 7 indicates there are approximately 2,300 off-street parking spaces and approximately 1,600 on-street parking spaces within a five-minute walk of Site C for an estimate of 3,900 spaces. Approximately 470 surface parking spaces would likely be removed when passenger rail service is established for a net of approximately 3,400 spaces if no additional parking is constructed.

**Site D/E** This site has approximately 2,500 off-street parking spaces and approximately 1,800 on-street spaces within a five-minute walk of the site, as shown on Figure 8, for an estimate of 4,300 spaces. Approximately 630 surface parking spaces are likely to be removed when passenger rail service is established for a net of approximately 3,700 spaces if no additional parking is constructed.

Modesto is part of Phase 2 of the California High Speed Rail project. Ridership projections, which vary with development patterns and economic conditions, have not yet been prepared for Phase 2. However, it is reasonable to assume additional parking in downtown near the passenger rail station will be needed to support rail ridership.
Existing Off-Street and On-Street Parking and Potential Parking Sites

Figure 6
Existing Off-Street and On-Street Parking and Potential Parking Sites Within 5 Minutes of Site C

Figure 7

Existing Off-Street and On-Street Parking and Potential Parking Sites Within 5 Minutes of Site D/E

Figure 8
Site and Circulation Plans

For many reasons, it is in the public interest to make walking, bicycling, bus, and train facilities as readily available and convenient to use for work and non-work purposes, as are private automobiles.

Each site has two sets of site and circulation plans. The first set illustrates conceptual site and circulation plans for the above-grade rail option and the second set illustrates conceptual site and circulation plans for the at-grade rail option. Generally speaking, the above-grade option utilizes space more efficiently by allowing two levels for the station. The at-grade option presents safety concerns by radically increasing the width of railroad right of way crossing streets and sidewalks.

Site A Selecting Site A would likely result in the closure of H Street across the site and eliminate the G-H one-way couplet. Automobile traffic would flow around the site. Bus traffic would be staged either on the east side of the site (at-grade option) or the west side (above-grade option). Pedestrian and bicycle traffic would flow around and penetrate the site. An above-grade walkway across the railroad tracks is recommended for the at-grade option to provide pedestrian access to both sides of the site. (See Figures A-1 and A-2.)

Site C This site encompasses the existing Transportation Center, as well as an additional block-and-a-half west of the Union Pacific Railroad, with a half-block set aside for St. Stanislaus parish church. For the at-grade option, bus traffic would be staged at the existing Transportation Center, but would use the larger west side of the site for the above-grade option. Pedestrian and bicycle traffic would penetrate the site and an above-grade walkway is recommended for the at-grade option for pedestrian safety. Site C would not result in changes to the existing street circulation pattern and automobile traffic would flow around the site. (See Figures C-1 and C-2.)

Site D/E Site D/E is the largest site. Less demand for rail travel is assumed for the at-grade option, as the train would likely provide primarily lower speed, interregional (rather than statewide) service. Because it straddles I Street, closure to through automobile traffic is recommended for safety, although bus, bicycle, and pedestrian traffic could continue to use I Street. As with the other two sites, the at-grade option would allow bus access from the east side, changing to the west side for the above-grade option. Bus, bicycle, and pedestrian traffic would all penetrate the site and an above-grade pedestrian walkway is recommended for the at-grade option. To promote bus access around the site, the G-H one-way couplet could be eliminated. (See Figures D/E-1 and D/E-2.)

Discuss station options and rank Sites A, C, and D/E in order of preference.
Workshop 3: Report on Results

About two dozen members of the public attended the June 20, 2012, workshop. After the introduction and project background describing how the three preferred sites were selected, the conceptual site plans and circulation plans for each of the three sites (A, C, and D/E) was discussed extensively amongst the room. The conceptual nature of the plans was emphasized.

A number of comments, concerns, and questions were raised by the attendees. In no particular order, they are:

- Where was the original station?
- Don’t close H Street.
- The above grade option will leave usable space below the tracks.
- How will the station be designed around the Union Pacific rail line?
- When asked, citizen groups like the signal timing on G and H Streets.
- Why isn’t a below grade option being considered?
- Do the plans call for the relocation of the historic Southern Pacific depot?
- Are there any plans to buy and demolish St. Stanislaus church?
- How far out of town would the line remain above grade?
- The expansion area for Site D/E could also be used for Site C.
- I can’t imagine closing I Street.
- Why not consider the area between L and K and 7th and 8th?
- Are there options to closing I Street?
- What would be the impact on the Save Mart on Downey of closing I Street at 9th Street?
- What would be the impact on the west side (Paradise Road) traffic into downtown of closing I Street at 9th Street?
- I Street closure concept should go to City Council.
- Any station plan that closes I Street gives momentum to that concept.
- If you close I Street, you need parking to accommodate increased pedestrian traffic.
- G and H are commuter streets, it’s OK to close I Street, there’s not as much traffic.
- An at-grade crossing for passenger rail is too dangerous.
- Block 25 is good.
- What is the noise impact of passenger rail on St. Stanislaus?
- For Site C, why not take another half block between I and H Streets?
- Why wasn’t the area of 7th and I Street considered?

Each of these points was discussed during the workshop. Below, we respond to the questions and concerns identified above in order to represent the content of Workshop 3 as completely as possible.

Where was the original station?
The original stop seems to have been approximately one block south of the existing 1915 Southern Pacific Depot on what is now 9th Street.
Will historic buildings be relocated or demolished?

No decisions have been made yet regarding if, when, or how a passenger rail station will be built in downtown Modesto. It is unknown at this time whether the rail line will pass through downtown Modesto (near the Union Pacific Railroad) or on the east side of Modesto (near the Burlington Northern-Santa Fe Railroad).

However, assuming the alignment will pass through downtown Modesto, staff believes that incorporating the 1915 Southern Pacific Railroad Depot into the station design would provide context for a new station, while preserving an important part of Modesto's history. There are no plans to demolish or move St. Stanislaus Church, which would be expensive and would destroy an important part of the city's history. These issues will be considered further if Modesto and the region decide to host a passenger rail station.

Discussion of study area sites and configurations other than Sites A, C, and D/E

The study area for a possible passenger rail station was broadly delineated through discussions with consultants to the California High Speed Rail Authority. The study area was thus bounded roughly by State Route 99 and Jefferson Street on the west, the Union Pacific Railroad on the east, Sierra Drive and B Street on the south, and the Needham Overpass on the north.

Each block in the study area was evaluated using the criteria established at Workshop 1. Attendees at Workshop 2 identified groups of blocks they considered preferable for a station using the criteria and their knowledge of Modesto.

Discussion of different vertical alignments

The physical characteristics of travel on a high-speed rail system limit track curvature. Whether curves are up and down or side to side, curves must be very long and gentle to minimize passenger discomfort. Some portions of the larger system will travel through tunnels to minimize curves, while most portions will either be at-grade or above-grade for long stretches. Finally, tunneling is the most expensive option for the vertical alignment, although it might be feasible in some areas.

Both above-grade and below-grade alignments would make more space available for use at street level. Both of those options also eliminate at-grade street crossings, which would occur with the at-grade alignment. Safety for roadway users and pedestrians is a concern with the at-grade option. A below-grade option is not being considered by the City of Modesto because Modesto is not responsible for engineering the system. Modesto may express preferences for the alignment, but does not control the decision.

What about street closures and changing one-way streets to two-way streets?

Each of the site plans represents a single possibility for utilizing each site. There are many possible configurations which will be explored should the city elect to host a passenger rail station. Using more than a single block for a passenger rail station requires consideration of how people will move across the station and around the perimeter of the site. Passenger safety in particular is complicated if a street runs through a passenger rail station. The simplest approach,
but not the only approach, is to close streets that would run through the station and route traffic around the station perimeter.

One-way streets present a challenge to bus traffic. Because a passenger rail station will incorporate a bus station to facilitate passenger traffic to and from the station, buses will enter and leave the station site. To speed bus traffic to and from the site, buses need two-way street access on all sides of the station. Once again, this is not a requirement, but makes bus access to the site easier. Decisions about street closures and one-way or two-way streets will be made if Modesto decides to host a station and after design options are elaborated.

**Final Tally**

After discussing the pros and cons of each site, votes were tallied as:

- Site D/E: 23
- Site C: 16
- Site A: 3

Site D/E is the clear preference of those attending Workshop 3, many of whom attended more than one workshop, some of whom attended all three workshops.
Figure A-1: Conceptual Site Plan, Above-Grade Passenger Rail, Lower Level Plazas

Figure A-1: Conceptual Site Plan, Above-Grade Passenger Rail, Upper Level Station House
Figure A-1: Conceptual Train Circulation, Above-Grade Passenger Rail

Figure A-1: Conceptual Automobile Circulation, Above-Grade Passenger Rail
Figure A-1: Conceptual Bus Circulation, Above-Grade Passenger Rail

Figure A-1: Conceptual Bicycle & Pedestrian Circulation, Above-Grade Passenger Rail
Figure A-2: Conceptual Site Plan, At-Grade Passenger Rail Service

Figure A-2: Conceptual Train Circulation, At-Grade Passenger Rail
Figure A-2: Conceptual Automobile Circulation, At-Grade Passenger Rail

Figure A-2: Conceptual Bus Circulation, At-Grade Passenger Rail
City of Modesto Passenger Rail Site A

Figure A-2: Conceptual Bicycle & Pedestrian Circulation, At-Grade Passenger Rail
Figure C-1: Conceptual Site Plan, Above-Grade Passenger Rail Service, Lower Level Plazas

Figure C-1: Conceptual Site Plan, Above-Grade Passenger Rail, Upper Level Station House
Figure C-1: Conceptual Site Plan, Train Circulation, Above-Grade Passenger Rail Service

Figure C-1: Conceptual Automobile Circulation, Above-Grade Passenger Rail Service
Figure C-1: Conceptual Bus Circulation, Above-Grade Passenger Rail Service

Figure C-1: Conceptual Bicycle and Pedestrian Circulation, Above-Grade Passenger Rail
Figure C-2: Conceptual Site Plan, At-Grade Passenger Rail Service

Figure C-2: Conceptual Site Plan, Train Circulation, At-Grade Passenger Rail Service
Figure C-2: Conceptual Automobile Circulation, At-Grade Passenger Rail Service

Figure C-2: Conceptual Bus Circulation, At-Grade Passenger Rail Service
Figure C-2: Conceptual Bicycle and Pedestrian Circulation, At-Grade Passenger Rail
Figure D-E 1: Conceptual Site Plan, Above-Grade Passenger Rail, Lower Level Plazas

Figure D-E 1: Conceptual Site Plan, Above-Grade Passenger Rail, Upper Level Station House
Figure D-E 1: Conceptual Train Circulation, Above-Grade Passenger Rail

Figure D-E 1: Conceptual Automobile Circulation, Above-Grade Passenger Rail
Figure D-E 1: Conceptual Bus Circulation, Above-Grade Passenger Rail

Figure D-E 1: Conceptual Bicycle and Pedestrian Circulation, Above-Grade Passenger Rail
Figure D-E 2: Conceptual Site Plan, At-Grade Passenger Rail Service

Figure D-E 2: Conceptual Train Circulation, At-Grade Passenger Rail
Figure D-E 2: Conceptual Automobile Circulation, At-Grade Passenger Rail

Figure D-E 2: Conceptual Bus Circulation, At-Grade Passenger Rail
Figure D-E 2: Conceptual Bicycle and Pedestrian Circulation, At-Grade Passenger Rail
RESOLUTION AUTHORIZING THE AWARD OF BIDS FOR THE FURNISHING OF ANALYTICAL LABORATORY TESTING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS, WATER DIVISION AND WASTEWATER DIVISION, TO ALPHA ANALYTICAL LABORATORIES, DUBLIN, CA, BSK ANALYTICAL LABORATORIES, FRESNO, CA, FGL ENVIRONMENTAL, SANTA PAULA, CA, SIERRA ANALYTICAL, LAGUNA HILLS, CA, AND TESTAMERICA LABORATORIES, INC., IRVINE, CA, FOR A TWO (2) YEAR AGREEMENT WITH THREE (3) ONE-YEAR EXTENSION OPTIONS AT THE SOLE DISCRETION OF THE CITY, AND AUTHORIZING THE PURCHASING MANAGER, OR HIS DESIGNEE, TO ISSUE PURCHASE AGREEMENTS FOR AN ESTIMATED ANNUAL COST OF $333,160

WHEREAS, the City Manager authorized the Purchasing Manager to issue formal Request for Bids (RFB) for the furnishing of analytical laboratory testing services, and

WHEREAS, the Purchasing Division issued RFB No. 1213-05 Analytical Laboratory Testing Services to twenty (20) prospective bidders, two (2) of which were local vendors and posted the RFB on the City’s website, and

WHEREAS, bids were formally opened in the City Clerk’s Office. Nine (9) companies choose to respond, none of which were local vendors. All nine (9) companies provided responsive and responsible bids, and

WHEREAS, based on providing the best overall value to the City, City staff recommends the award of bids for the furnishing of analytical laboratory testing services for the Department of Public Works, Water Division and Wastewater Division, to Alpha Analytical Laboratories, Dublin, CA, BSK Analytical Laboratories, Fresno, CA, FGL Environmental, Santa Paula, CA, Sierra Analytical, Laguna Hills, CA, and TestAmerica Laboratories, Inc., Irvine, CA, and

WHEREAS, Modesto Municipal Code Section 8-3.203 generally requires all purchases, which meet or exceed $50,000 for material, equipment or contractual services
to be formally bid. The award of bids for the furnishing of analytical laboratory testing services for the Department of Public Works, Water Division and Wastewater Division, to Alpha Analytical Laboratories, Dublin, CA, BSK Analytical Laboratories, Fresno, CA, FGL Environmental, Santa Paula, CA, Sierra Analytical, Laguna Hills, CA, and TestAmerica Laboratories, Inc., Irvine, CA, conforms to the Modesto Municipal Code, and

WHEREAS, funds are budgeted in Fiscal Year 2012-13 for the furnishing of analytical laboratory testing services in Appropriation Units: 4100-55090-53335, 4100-55090-53336 and 4210-54115-53335.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the award of bids for the furnishing of analytical laboratory testing services for the Department of Public Works, Water Division and Wastewater Division, to Alpha Analytical Laboratories, Dublin, CA, BSK Analytical Laboratories, Fresno, CA, FGL Environmental, Santa Paula, CA, Sierra Analytical, Laguna Hills, CA, and TestAmerica Laboratories, Inc., Irvine, CA.

BE IT FURTHER RESOLVED that the Purchasing Manager, or his designee, is hereby authorized to issue purchase agreements for an estimated annual cost of $333,160.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 2013, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Gunderson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Cogdill, Geer, Gunderson, Lopez, Muratore, Mayor Marsh

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SIGNATURE)

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: SUSANA ALCALA WOOD, City Attorney