A RESOLUTION CALLING AN ELECTION FOR THE PURPOSE OF SUBMITTING THE LEVY OF THE SPECIAL TAX TO THE QUALIFIED ELECTORS OF THE TERRITORY PROPOSED TO BE ANNEXED TO COMMUNITY FACILITIES DISTRICT NO. 1998-2 (Carver-Bangs/Pelandale-Snyder, Annexation #2)

WHEREAS, on February 25, 2003, the City Council adopted Resolution No. 2003-106 (the "Resolution of Intention to Annex") indicating its intention to annex certain territory (the "Annexed Territory") to Community Facilities District No. 1998-2 (the "District") in order to finance certain public facilities (the "Facilities") and services (the "Services") and to authorize the levy of a special tax (the "Special Tax") within the Annexed Territory, pursuant to Chapter 3.5 of Part 1 of Division 2 of Title 5 (commencing with Section 53311) of the California Government Code, commonly known as the "Mello-Roos Community Facilities Act of 1982" (the "Act"), and

WHEREAS, a copy of the Resolution of Intention to Annex, describing the territory proposed to be annexed, the list of Facilities and Services to be financed by the Annexed Territory, and the Special Tax to be levied in the Annexed Territory, and setting the hearing thereon, is on file with the City Clerk, and

WHEREAS, notice of the hearing was duly published as required by law, as evidenced by the proof of publication on file with the City Clerk, and

WHEREAS, a hearing of the City Council was held on April 1, 2003, as required by law related to the proposed annexation of territory and the levy of the Special Tax within the Annexed Territory and all other matters set forth in the Resolution of Intention to Annex, and
WHEREAS, at the hearing all persons desiring to be heard on all matters pertaining to the proposed annexation of territory and the levy of the Special Tax therein and all other matters set forth in the Resolution of Intention to Annex, including all interested persons or taxpayers for or against the proposed annexation of territory and the levy of the Special Tax therein were heard and considered, and a full and fair hearing was held thereon, and

WHEREAS, at the hearing evidence was presented to the City Council on the matters before it, and the City Council at the conclusion of the hearing was fully advised as to all matters related to the proposed annexation and the levy of the Special Tax therein and all other matters set forth in the Resolution of Intention to Annex, and

WHEREAS, written protests against the proposed annexation and the levy of the Special Tax therein have not been filed with the City Clerk by fifty percent or more of the registered voters, or six registered voters, whichever is more, residing within either the District or the Annexed Territory proposed to be annexed to the District, or the owners of one-half or more of the area of land in either the territory in the District or the Annexed Territory and not exempt from the Special Tax, and

WHEREAS, the City Clerk has concurred in the election date herein set forth for the election herein called,

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

SECTION 1. The foregoing recitals are true and correct.
SECTION 2. All prior proceedings taken with respect to the annexation of territory to the District and the levy of the Special Tax therein, were valid and in conformity with the requirements of the Act. This determination shall be final and conclusive upon all persons.

SECTION 3. The proposed annexation of territory and the levy of the Special Tax therein have not been precluded by majority protest pursuant to Section 53339.5 of the Act.

SECTION 4. (a) The Facilities to be financed by the Annexed Territory are set forth in EXHIBIT “A” attached hereto and incorporated herein by this reference.

(b) The Facilities are necessary to meet the increased demands placed upon the City and other local agencies operating within the Annexed Territory as a result of development occurring therein.

(c) No land within the Annexed Territory is devoted primarily to agricultural, timber or livestock uses or being used for the commercial production of agricultural, timber or livestock products.

SECTION 5. (a) The Services to be financed by the Annexed Territory are set forth in EXHIBIT “A” attached hereto and incorporated herein by this reference, including expenses incidental thereto as authorized by Section 53313 of the Act. The
Services are governmental services that the City is authorized by law to provide to the extent that they are in addition to those provided in the Annexed Territory before the territory was annexed to the District.

(b) The Services are necessary to meet the increased demands placed upon the City and other local agencies operating within the area of the Annexed Territory as a result of development occurring in the Annexed Territory.

SECTION 6. The Public Report related to the Facilities and Services shall be a part of the record in these proceedings.

SECTION 7.

(a) As stated in the Resolution of Intention to Annex, it is the intention of the City Council, subject to the approval of the qualified electors of the Annexed Territory, to annex territory to the District and levy a Special Tax within the Annexed Territory. Specifically, upon such approval the Council shall levy the Special Tax upon the Annexed Territory.

(b) The rate, method of apportionment, and manner of collection of the special tax, in sufficient detail to allow each landowner or resident within the Annexed Territory to estimate the maximum amount that he or she will have to pay, is described in EXHIBIT “A” attached hereto and incorporated herein by this reference.
(c) The Special Tax as apportioned to each parcel pursuant to EXHIBIT “A” is based on the cost of making the Facilities and Services available to each parcel of the Annexed Territory, or other reasonable basis, and is not based on or upon the ownership of real property.

There is no ad valorem property tax currently being levied on property within the Annexed Territory for the exclusive purpose of making lease payments or paying principal or interest on any other indebtedness incurred to finance the construction of capital facilities which are the same as are to be provided by the Facilities to be financed by the Annexed Territory.

SECTION 8. A special election (the "Election") is hereby called as a mail ballot election on the proposition of levying the Special Tax within the Annexed Territory. The City Council further directs that this Resolution shall constitute the notice of the Election on the above proposition. However, the giving of such notice is waived if the City Clerk shall receive unanimous consent to such waiver from the Landowners.

SECTION 9. It is hereby found that there were fewer than twelve registered voters registered to vote within the Annexed Territory on any one day during the ninety days preceding the close of the protest hearing. Pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Annexed Territory and each landowner who is the owner of record at the close of the Hearing, or the authorized representative thereof, shall have one vote for each acre or portion of an acre of land that he or she owns within the Annexed Territory. The number of votes to be voted by a particular landowner shall be specified on the ballot provided to that landowner.
SECTION 10. If the City Clerk shall have received appropriate waivers of time limits and other requirements pertaining to the conduct of the Election by each of the owners of land included in the Annexed Territory (collectively, the "Landowners") on or before Tuesday, the 8th day of April, 2003, the Election shall be held on that day, or on such earlier date on which the City Clerk shall have received such waivers and completed ballots. Otherwise, the Election shall be held on the first Tuesday after that date which is 90 days after the date on which this Resolution is adopted.

The Election shall be conducted by the City Clerk in the manner required by this Resolution, the Act and applicable laws. Receipt by the City Clerk of this Resolution, a certified map of sufficient scale and clarity to show the boundaries of the Annexed Territory and a sufficient description to allow the City Clerk to determine the boundaries of the Annexed Territory within three business days after the adoption of this Resolution shall be conclusively evidenced by the signature of the City Clerk on the certificate of adoption relating to this Resolution.

In accordance with Section 53326 of the Act, the ballots for the election shall be distributed by mail or by personal service by the City Clerk, with return postage prepaid, to each Landowner, or Landowner's authorized representative for the purpose of voting its interests at the special election, within the Annexed Territory. The City Clerk shall certify the proper mailing or service of ballots by an affidavit, which shall constitute conclusive proof of mailing or service in the absence of fraud. The voted ballots shall be returned to the City Clerk in person or by mail, courier, messenger or other means of delivery not later than 7:00 p.m. on the day of the Election.
SECTION 11. Unless waived with the unanimous consent of all the Landowners, there shall be prepared and included in the ballot material provided to each voter an impartial analysis pursuant to Section 5011 of the California Elections Code (the "Elections Code") and arguments and rebuttals, if any, pursuant to Sections 5012 to 5016, inclusive, and 5025 of the Elections Code.

SECTION 12. The Annexed Territory shall constitute a single election precinct for the purpose of holding the Election.

SECTION 13. The City Clerk is hereby authorized to take any and all steps necessary for the holding of the Election. The City Clerk shall perform and render all services and proceedings incidental to and connected with the Election. These services shall include, but not be limited to, the following activities as are appropriate to the Election:

1. Cause to be printed the requisite number of official ballots, tally sheets and other necessary forms;

2. Furnish and address to mail or personally deliver the official ballots to the qualified electors of the Annexed Territory;

3. Cause the official ballots to be mailed or personally delivered, as required by law;

4. Receive the returns of the Election and supplies;

5. Sort and assemble the election material and supplies in preparation for the canvassing of the returns;

6. Canvass the returns of the Election;

7. Furnish a tabulation of the number of votes given in the Election;
8. Make all arrangements and take the necessary steps to pay all costs of the election incurred as a result of services performed for the Annexed Territory and pay costs and expenses of all election officials; and

9. Conduct and handle all other matters relating to the proceedings and conduct of the Election in the manner and form as required by law.

SECTION 14. Following the Election the City Clerk shall present a report to the City Council with the Election results. The Council shall then make a determination as to whether two-thirds or more of the votes cast are in favor of levying the Special Tax within the Annexed Territory. If the Council determines that two-thirds or more of the votes cast are in favor of the Special Tax, the City Council may levy the Special Tax in the Annexed Territory in the amount and for the purposes specified in the Resolution of Intention to Annex. The Special Tax may be levied in the Annexed Territory at the rate and may be apportioned in the manner specified in the Resolution of Intention to Annex and in the attached EXHIBIT “A”.

SECTION 15. The City Clerk, in accordance with Sections 3114.5 and 3117.5 of the Streets and Highways Code, shall record an amendment to the Notice of Special Tax Lien originally recorded pursuant to Section 3114.5 of the California Streets and Highways Code in the office of the County Recorder of the County of Stanislaus as Document No. 98-0118243-00 on December 22, 1998, and subsequently amended by Document No. 99-0060033-00 on June 16, 1999.
The foregoing resolution was introduced at a regular meeting of the
Council of the City of Modesto held on the 8th day of April, 2003, by Councilmember
Fisher, who moved its adoption, which motion being duly seconded by Councilmember
Frohman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, Keating,
O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

APPROVED AS TO FORM:

By

MICHAEL D. MILICH, City Attorney

JEAN ZAHR, City Clerk
EXHIBIT “A”
CITY OF MODESTO  
COMMUNITY FACILITIES DISTRICT NO. 1998-2  
(CARVER-BANGS/PELANDALE-SNYDER)  
CFD PUBLIC REPORT  

March 25, 1999  

Prepared For:  
CITY OF MODESTO  

Prepared By:  
DAVID TAUSSig AND ASSOCIATES, INC.  
425 University Avenue, Suite 110  
Sacramento, California 95825  
(916) 920-1109
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I. BACKGROUND

Community Facilities District (CFD) No. 1998-2 is being formed to provide a funding and reimbursement mechanism for public facilities and services required to serve the Carver-Bangs and Pelandale-Snyder Specific Plans in the City of Modesto. Portions of both Specific Plan areas are included within the initial boundaries of the CFD, and the remainder of the property within both Plan areas is expected to annex into the CFD at a later date.

As a condition of development of the Specific Plan areas, the developers are required to install various public improvements which will serve the increased population generated from the projects. Many of these improvements must be provided in the early stages of development and, therefore, the first developers to build within the projects must install the improvements and receive fee credits or reimbursements in exchange for the facilities. CFD No. 1998-2 is the vehicle that will be used to ensure that all landowners in the Specific Plans pay their fair share of the public improvements. In addition, the CFD will generate funding for ongoing maintenance of landscaping and open space within the project areas.

Following is a brief description of both projects:

A. Carver-Bangs Specific Plan

On April 1, 1997, the City Council of the City of Modesto approved Resolution No. 97-161, thereby adopting the Carver-Bangs Specific Plan. The Specific Plan was subsequently amended by City Council Resolution 97-633. Carver-Bangs is a proposed 160-acre project bounded on the east by Carver Road, on the North by Bangs Avenue, on the south by the Pelandale-Snyder Specific Plan (discussed further below), and on the west by the Kiernan Business Park area. The Carver-Bangs Specific Plan will be developed under the City's Village Residential guidelines, which will yield approximately 800 single family residential units.

B. Pelandale-Snyder Specific Plan

The Pelandale-Snyder Specific Plan was approved by the City Council on January 16, 1996 by the adoption of Resolution No. 95-16, and was subsequently amended by City Council Resolutions 97-136 and 97-139. The Specific Plan area is bounded by Dale Road on the west, the extension of Pelandale Road on the north, Union Pacific Railroad on the east, and the Modesto Irrigation District canal and Snyder Avenue on the south. Approximately 227 acres of the project are designated Single Family Residential (SFR), and 57 acres are designated Multi-Family Residential; in total, 2,613 residential dwelling units are expected at buildout of the Specific Plan. In addition, 36 acres of the Specific Plan area will be used for an elementary school site, a City park, and a church.
II. **STRUCTURE OF COMMUNITY FACILITIES DISTRICT NO. 1998-2**

A. **Introduction**

A Mello-Roos CFD may provide for the purchase, construction, expansion or rehabilitation of any real or tangible property, including public facilities and infrastructure improvements, with an estimated useful life of five (5) years or longer, which is necessary to meet increased demands placed upon local agencies as a result of development or rehabilitation occurring within the CFD. In addition, a CFD may pay for various public services and maintenance of public improvements, including parkways and open space.

The Resolution of Intention to Establish CFD No. 1998-2 (Resolution No. 98-582) was adopted by the City Council on November 3, 1998. After a public hearing and a successful election by landowners within the CFD, the CFD will be formed and the levy of a special tax will be authorized.

B. **Boundaries of CFD 1998-2**

As mentioned above, the initial boundaries of the CFD include portions of both the Carver-Bangs and Pelandale-Snyder Specific Plans. Additional property is expected to annex into the CFD in future years as development in the area expands. It is anticipated that property subsequently annexed into the CFD will be subject to the same special tax formula as property in the CFD from the start, with a maximum Facilities Special Tax (discussed further below) assigned to the property when it is annexed. Property in the Carver-Bangs Specific Plan is included within Tax Area A of the CFD, and parcels in Pelandale-Snyder make up Tax Area B of the CFD. A separate maximum tax has been calculated for each tax area, as discussed further in Section C below.

The boundaries of the CFD are shown on a boundary map that was approved by the City Council and recorded in Volume 3, page 5 of the Book of Maps of Assessment Districts and Community Facilities Districts in the Stanislaus County Recorder's Office. A copy of the CFD boundary map is provided as Appendix A of this CFD Public Report.

C. **CFD Special Tax Structure**

1. **Facilities Special Tax**

Each year, special taxes will be levied and collected from parcels within the CFD to pay costs associated with storm drainage and road improvements, as well as maintenance of these improvements (authorized facilities and maintenance costs are discussed in more detail below). The Rate and Method of Apportionment of Special Tax and Reimbursements ("RMA"), which describes in detail how the tax will be allocated among properties in the CFD, is included as Appendix B of this report.
As explained in Sections D and E of the RMA, two different special taxes will be levied within the CFD. First, a "Facilities Special Tax" will be levied to pay for capital improvements and appurtenant expenses, such as design, planning, engineering and inspection. The entire Facilities Special Tax will be collected prior to a final building permit inspection being completed or a certificate of occupancy being issued for new construction on a parcel within the CFD. Because each Specific Plan area is responsible for only the facilities required to serve that area, separate "tax areas" were established within the CFD to avoid any crossover of responsibility for the funding of required infrastructure. A separate Facilities Special Tax has been determined for each assessor's parcel that was included within each tax area at the time CFD No. 1998-2 was formed; Attachment 2 of Appendix B identifies the maximum Facilities Special Tax assigned to each parcel.

Section C.1 of the RMA (Appendix B) explains how the Facilities Special Tax obligation assigned to each original assessor's parcel will be reallocated when subdivision occurs. Regardless of changes in land use in future years, the maximum Facilities Special Tax revenues that can be collected from property in the CFD will never be reduced. In January 2002 and each January thereafter, the maximum Facilities Special Tax assigned to each assessor's parcel will be increased by four percent of the amount in effect in the prior year.

Section D of Appendix B sets forth a credit/reimbursement program which allows developers who have constructed and dedicated public improvements to take credits against the Facilities Special Taxes that would otherwise be paid until such credits equal the cost set forth in Appendix C of this CFD Public Report for the public improvements provided by the developer. Regardless of the actual cost incurred by the developer for construction of the public improvement(s), credits against the Facilities Special Tax can be taken until the amount credited is equal to the facility cost shown in Appendix C for that improvement(s). If the developer's project is built out and a balance remains to be credited, the developer will instead receive a cash reimbursement from Facilities Special Taxes collected from other property owners in the CFD until the combined amount of fee credits and cash reimbursements is equal to the cost of the public improvement(s) as shown in Appendix C of this report. All costs and reimbursements are subject to a four percent increase in January 2002 and each January thereafter.

Facility Special Tax credits and reimbursements will be applied based on a specified order of priority, which is identified in Attachment 1 of Appendix B. Until all facilities of a higher priority have been fully funded, a developer who builds an improvement that is of a lower priority will not receive fee credits or reimbursements. The order of priority is specific to each tax area, which means facilities of a lower priority may be funded in one tax area even if the higher priority facilities in the other tax area have not yet been fully funded. Appendix B provides a more detailed description of the credit/reimbursement program.
2. **Maintenance Special Tax**

The second special tax that can be levied in the CFD is the “Maintenance Special Tax”, which will be collected to pay costs associated with maintaining parkways and open space in both Specific Plan areas. Again, a separate maximum Maintenance Special Tax has been determined for Tax Area A and Tax Area B, as shown in the following table:

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th><strong>Tax Area A</strong> (Carver-Bangs)</th>
<th><strong>Tax Area B</strong> (Pelandale-Snyder)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>$118 per unit</td>
<td>$92 per unit</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>$945 per Acre</td>
<td>$733 per Acre</td>
</tr>
<tr>
<td>Non-Residential</td>
<td>$945 per Acre</td>
<td>$733 per Acre</td>
</tr>
</tbody>
</table>

*Beginning in 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."

The Maintenance Special Tax will be collected each fiscal year on the property tax bills of all parcels in the CFD that have had a final building permit inspection conducted or a certificate of occupancy issued prior to June 1 of the preceding fiscal year.

### III. Facilities and Services to be Funded by CFD No. 1998-2

The facilities and services described below are all facilities which the City of Modesto is authorized to finance and which are required to adequately meet the needs of CFD No. 1998-2. The special taxes required to pay for these facilities and services will be apportioned according to the “Rate and Method of Apportionment of Special Tax” included as Appendix B of this report.

**Capital Improvements**

**A. Carver-Bangs (Tax Area A)**

Following is a summary of the capital improvements to be funded through CFD No. 1998-2 to serve the Carver-Bangs Specific Plan. A detailed breakdown of facility components and the corresponding cost estimates is provided in Appendix C of this report.
Storm Drainage Improvements $1,494,750
Prescott Road 145,422
American Avenue 24,033
Bangs Avenue 254,305
Carver Road 57,270
American Avenue Canal Overcrossing 295,066
Class I Bike Trail 142,500
Total Capital Improvement Costs $2,480,847

B. Pelandale-Snyder (Tax Area B)

Storm Drainage Improvements $4,389,042
Dale Road 531,075
Prescott Road 628,297
Tully Road 1,011,016
Snyder Avenue 504,283
Class I Bike Trail 752,675
Total Capital Improvement Costs $7,883,888

Annual Maintenance Costs

A. Carver-Bangs

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangs Avenue (South Side) 8' Landscape Strip (4,680 LF x 8' = 37,400 SF)</td>
<td>37,400</td>
<td>SF</td>
<td>$0.72</td>
<td>$26,957</td>
</tr>
<tr>
<td>American Avenue (East Side) 8' Landscape Strip (1,200 LF x 8' = 9,600 SF)</td>
<td>9,600</td>
<td>SF</td>
<td>$0.72</td>
<td>$6,912</td>
</tr>
<tr>
<td>Prescott Road 16' Center Median</td>
<td>10,500</td>
<td>SF</td>
<td>$0.72</td>
<td>$7,740</td>
</tr>
<tr>
<td>Prescott Road Treewell and Vine Blockouts with 10' Sidewalk and Masonry Wall (56 Each 5' x 5' Treewalls + 56 each 3' x 10' vine blockouts)</td>
<td>3,080</td>
<td>SF</td>
<td>$0.72</td>
<td>$2,218</td>
</tr>
<tr>
<td>Class I Bike Trail</td>
<td>1,308</td>
<td>SF</td>
<td>$0.72</td>
<td>$942</td>
</tr>
<tr>
<td>Pelandale Avenue (North Side) Landscape Strip</td>
<td>1,996</td>
<td>SF</td>
<td>$0.72</td>
<td>$1,437</td>
</tr>
<tr>
<td>Carver Road (West Side) (1,194 L.F. x 8' = 9,552 S.F.)</td>
<td>9,552</td>
<td>SF</td>
<td>$0.72</td>
<td>$6,877</td>
</tr>
</tbody>
</table>

Total Annual Maintenance Costs $53,083
B. *Peladale-Snyder*

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dale Road (East Side), 12' Wide Landscape Strip</td>
<td>14,700</td>
<td>SF</td>
<td>$0.72</td>
<td>$10,584</td>
</tr>
<tr>
<td>Prescott Road (East Side), 12' Wide Landscape Strip (1,225 LF x 12' = 14,700 SF)</td>
<td>14,700</td>
<td>SF</td>
<td>$0.72</td>
<td>$10,584</td>
</tr>
<tr>
<td>Prescott Road 16' Center Median</td>
<td>10,750</td>
<td>SF</td>
<td>$0.72</td>
<td>$7,740</td>
</tr>
<tr>
<td>Tully Road (Both Sides), 12' Wide Landscape Strip (2,650 LF x 12' = 21,800 SF)</td>
<td>31,800</td>
<td>SF</td>
<td>$0.72</td>
<td>$22,896</td>
</tr>
<tr>
<td>Tully Road 16' Center Median</td>
<td>10,750</td>
<td>SF</td>
<td>$0.72</td>
<td>$7,740</td>
</tr>
<tr>
<td>Class I Bike Trail</td>
<td>8,820</td>
<td>SF</td>
<td>$0.72</td>
<td>$6,350</td>
</tr>
<tr>
<td>Peladale Avenue (South Side)</td>
<td>10,400</td>
<td>SF</td>
<td>$0.72</td>
<td>$7,488</td>
</tr>
<tr>
<td>Carver West Side Back-up Lots South of Peladale Avenue (515 L.F. x 5' = 2,575)</td>
<td>2,575</td>
<td>SF</td>
<td>$0.72</td>
<td>$1,854</td>
</tr>
<tr>
<td>Landscaping Surrounding Storm Drain Basins</td>
<td>35,000</td>
<td>SF</td>
<td>$0.72</td>
<td>$25,200</td>
</tr>
</tbody>
</table>

Total Annual Maintenance Costs $100,436

The description of facilities and services, as set forth herein, is general in nature. The final nature and location of improvements will be determined upon the preparation of final plans and specifications.
APPENDIX A

CITY OF MODESTO
COMMUNITY FACILITIES DISTRICT NO. 1998-2

BOUNDARY MAP
PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 1998-2
(CARVER-BANGS/PELANDALE-SNYDER)
COUNTY OF STANISLAUS, STATE OF CALIFORNIA

NOTE:
The distances shown herein are ground distances. All map or drafting distances at the one factor (approximate) to be
symbols and distances.  

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME ON UNDER MY DIRECTION AND
REALLY IDENTIFYING THE MAP SUBSTANTIALLY CONFORM TO
THE REQUIREMENTS FOR A COMMUNITY FACILITIES DISTRICT
MAP AS PRESCRIBED IN WISCONSIN LAW 4.12 OF THE STREET
AND HIGHWAY CODE.

DATED THIS DAY OF , 1998

ROY A. GALLI, P.C.E. 18021

FILED IN THE OFFICE OF THE CITY CLERK OF THE

FELLOWSHIP, INC. DAY OF

WE THE CITY CLERK

HEREBY CERTIFY THAT THE MAP IDENTIFYING PROPOSED BOUNDARIES OF CITY OF MODesto COMMUNITY FACILITIES DISTRICT NO. 1998-2
(CARVER-BANGS/PELANDALE-SNYDER), CITY OF MODesto, COUNTY OF STANISLAUS STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MODesto
AT A MEETING HELD ON THE DAY OF , 1998, BY ITS
RESOLUTION NO.

RECORDS OFFICE, CITY CLERK

RECORDS OFFICE, CITY CLERK

RECORDS OFFICE, CITY CLERK

RECORDS OFFICE, CITY CLERK

RECORDS OFFICE, CITY CLERK

MID-VALLEY ENGINEERING

LAND PLANNING - ENGINEERING - SURVEYING

 No. 183/1830-10 - 1998 - 1:4800 - 1:4800 - 1:4800 - 1:4800 - 1:4800
PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 1998-2 (CARVER-BANGS/PELANDALE-SNYDER) COUNTY OF STANISLAUS, STATE OF CALIFORNIA

[Diagram showing boundaries and parcel information, including street names and property descriptions.]
APPENDIX B

CITY OF MODESTO
COMMUNITY FACILITIES DISTRICT NO. 1998-2

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX AND REIMBURSEMENTS
EXHIBIT B

CITY OF MODESTO
COMMUNITY FACILITIES DISTRICT NO. 1998-2
(CARVER-BANGS/PELANDALE-SNYDER)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX AND REIMBURSEMENTS

A special tax applicable to each Assessor's Parcel in Community Facilities District No. 1998-2 (herein "CFD No. 1998-2") shall be levied and collected according to the tax liability determined by the City Council of the City of Modesto, through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in CFD No. 1998-2, unless exempted by law or by the provisions of Section F below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 1998-2 unless a separate Rate and Method of Apportionment of Special Tax and Reimbursements is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre or Acreage" means the land area of an Assessor’s Parcel as shown on an Assessor’s Parcel Map, or if the land area is not shown on an Assessor’s Parcel Map, the land area shown on the applicable Final Map, parcel map, or other recorded County parcel map.

"Administration Component" means that portion of the Facilities Special Tax which must be paid (i.e., is not subject to fee credits) 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. The revenue collected from the Administration Component will be used by the City to pay annual expenses, consultants’ fees, and staff time associated with administering the CFD, monitoring the Authorized Facilities and effecting reimbursements, including but not limited to the following: (i) tracking development in the CFD, (ii) preparing the tax roll for the Annual Maintenance Special Tax, (iii) calculating and collecting the Facilities Special Tax, (iv) engineering, (v) planning, (vi) legal services, and (vii) acquisition and construction of land and improvements associated with the Authorized Facilities.

"Administrator" shall mean the person(s) or firm(s) designated by the City to administer the Special Tax according to this Rate and Method of Apportionment of Special Tax and Reimbursements.

"Annual Maintenance Special Tax" means a Special Tax levied in any Fiscal Year to pay the Maintenance Special Tax Requirement, as defined below.
“Assessor’s Parcel” means a lot or parcel shown in an Assessor’s Parcel Map with an assigned Assessor’s Parcel number.

“Assessor’s Parcel Map” means an official map of the County Assessor of the County of Stanislaus designating parcels by Assessor’s Parcel number.

“Authorized Facilities” or “Authorized Facility” means those public improvements (including portions of such public improvements) to be funded by CFD No. 1998-2 as identified in Attachment 1 of this Rate and Method of Apportionment of Special Tax and Reimbursements, including appurtenant expenses such as planning, design, engineering and inspection.

“Buildable Lot” means an individual numbered lot which is in its final configuration and for which a building permit may be issued.

“CFD Costs” means the total amount shown in the CFD Public Report to cover costs associated with CFD formation, CFD administration, and engineering, legal services, planning and geotechnical studies related to the Authorized Facilities.

“CFD Public Report” means the report filed with the City Clerk on behalf of CFD No. 1998-2 pursuant to Section 53321.5 of the Mello-Roos Community Facilities Act of 1982.

“Church Property” means any Parcel within the CFD that is exempt from ad valorem property taxes because it is owned by a religious organization.

“City” means the City of Modesto.

“Council” means the City Council of the City of Modesto, acting as the legislative body of CFD No. 1998-2.

“Credit/Reimbursement Amount” means the sum of the portion of the CFD Costs and the costs of Authorized Facilities that have been paid in advance by a builder/developer and have not yet been reimbursed to that builder/developer through one of the following: (i) the application of Special Tax Credits (as defined below) or (ii) payments to the builder/developer from Facilities Special Taxes collected from other builders/developers in the CFD. The Credit/Reimbursement Amount outstanding at any point in time will be determined pursuant to Section D below.

“Facilities Special Tax” means a Special Tax collected by the City to pay for one or more of the following: (i) the costs of Authorized Facilities and CFD Costs, (ii) to reimburse a builder/developer who has an outstanding Credit/Reimbursement Amount, and (iii) if all Authorized Facilities have been completed, to pay for maintenance authorized to be funded by the CFD.

“Final Map” means a final map, or portion thereof, approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.).
“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Maintenance Special Tax Requirement” means the amount necessary in any Fiscal Year to (i) pay for authorized maintenance expenses, (ii) pay administrative expenses of CFD No. 1998-2, and (iii) cure any delinquencies in the payment of Annual Maintenance Special Taxes levied in prior Fiscal Years or (based on delinquencies in the payment of Special Taxes which have already taken place) are expected to occur in the Fiscal Year in which the tax will be collected.

"Maximum Special Tax" means the maximum Special Tax, determined in accordance with Section C below, that can be levied by the City in any Fiscal Year on Taxable Property.

“Non-Residential Property” means, in any Fiscal Year, all Parcels for which a building permit has been issued for a commercial, office or industrial establishment or any other use which is not single family or multi-family residential property and which is not exempt from Special Taxes pursuant to Section F below.

“Order of Priority” means the order in which the Authorized Facilities and CFD Costs must be fully credited or reimbursed before Special Tax Credits can be made against the Facilities Special Tax or reimbursements paid to a builder/developer for other CFD facilities that are of lower priority. The Order of Priority is identified in Attachment 1 of this Rate and Method of Apportionment of Special Tax and Reimbursements.

“Original Parcel” means an Assessor’s Parcel that will be further subdivided upon recordation of a Final Map. The Original Parcels in CFD No. 1998-2 at the time the Resolution of Formation of CFD No. 1998-2 was approved by the Council are listed in Attachment 2.

“Public Agency” means the federal government, State of California or other local governments or public agencies.

“Reimbursable Cost” means, for any of the Authorized Facilities, the amount shown in 1998 dollars in the CFD Public Report, which amount shall, beginning in January 2002 and each January thereafter, be increased by four percent (4%) of the amount in effect in the prior year.

“Special Tax Credit” means a waiver of the creditable portion of the Facilities Special Tax that would otherwise be due from a Parcel in the CFD if the builder/developer of that Parcel did not have an outstanding Credit/Reimbursement Amount.

“Subdivided Property” means, in any Fiscal Year, all Buildable Lots for which a final building permit inspection has taken place or a certificate of occupancy has been issued prior to June 1 of the preceding Fiscal Year.

“Successor Parcel” means an Assessor’s Parcel of Taxable Property created by the subdivision or reconfiguration of an Original Parcel within the CFD.
"Taxable Property" means, in any Fiscal Year, all Parcels in CFD No. 1998-2 that have not been exempted from the Special Tax pursuant to Section F below.

"Tax Area A" means parcels within the Carver-Bangs Specific Plan Area, which Area is shown in Attachment 3A of this Rate and Method of Apportionment of Special Tax and Reimbursements.

"Tax Area B" means parcels within the Pelandale-Snyder Specific Plan Area, which Area is shown in Attachment 3B of this Rate and Method of Apportionment of Special Tax and Reimbursements.

B. **ANNUAL MONITORING**

The Administrator shall keep an ongoing record of the Acreage and current Assessor’s Parcel numbers within Tax Area A and Tax Area B and, after July 1 of each Fiscal Year, shall identify the Assessor’s Parcels which have become Subdivided Property and, therefore, will be subject to the levy of the Maintenance Special Tax in that Fiscal Year. The Administrator shall also continually monitor Subdivided Property to ensure the Facilities Special Tax is collected prior to final building permit inspection or issuance of a certificate of occupancy (whichever occurs first), unless the Parcel qualifies for a Special Tax Credit, as discussed further in Section D below.

C. **MAXIMUM SPECIAL TAX**

1. **Facilities Special Tax**

The maximum 1998 Facilities Special Tax for Original Parcels in CFD No. 1998-2 when the CFD was formed is shown in Attachment 2. Each time a Final Map is approved within the CFD or when Parcels in the CFD are otherwise subdivided or reconfigured, the Administrator shall reallocate the maximum Facilities Special Tax assigned to each Original Parcel to the Subsequent Parcels created by approval of the Final Map as follows:

- **Step 1a.** Identify the maximum Facilities Special Tax applicable to the Original Parcel being subdivided (the maximum Facilities Special Tax for Original Parcels in the CFD when the CFD was formed are shown in Attachment 2);

- **Step 1b.** Determine the Acreage of Taxable Property within the approved Final Map;

- **Step 1c.** Determine the total Acreage of Taxable Property within the Original Parcel being subdivided, including the Taxable Property within the Final Map;
Step 1d. Divide the Acreage determined in Step 1b by the total Acreage of the Original Parcel determined in Step 1c to calculate a percentage;

Step 1e. Multiply the percentage determined in Step 1d by the amount identified in Step 1a to calculate the maximum Facilities Special Tax to be allocated to the Final Map area. If a Final Map is approved for a portion of an Original Parcel, the maximum Facilities Special Tax that has not been allocated to the Final Map area will stay assigned to the remainder of the Taxable Property within the Original Parcel until it is further subdivided;

Step 1f. Spread the maximum Facilities Special Tax calculated in Step 1e to each of the Successor Parcels within the Final Map area based on each Successor Parcel’s share of the Acreage of Taxable Property within the Final Map.

After each reallocation of the maximum Facilities Special Tax upon subdivision or reconfiguration of Original Parcels, the sum of the maximum Facilities Special Tax assigned to Subsequent Parcels shall never be less than the maximum Facilities Special Tax assigned to the Original Parcel(s) prior to such reallocation. Beginning in January 2002 and each January thereafter, the maximum Facilities Special Tax assigned to each Parcel shall be increased by four percent (4%) of the amount in effect in the prior year.

2. **Annual Maintenance Special Tax**

All Subdivided Property within the CFD shall be subject to an Annual Maintenance Special Tax that shall be levied each Fiscal Year to meet the Maintenance Special Tax Requirement. The Annual Maintenance Special Tax shall be reflected as an annual lien on each Parcel in CFD No. 1998-2 and is anticipated to stay with the property and be paid each year by the current homeowner or property owner. The following maximum rates apply to all Parcels of Taxable Property within CFD No. 1998-2 for Fiscal Year 1998-99:
D. IMPLEMENTATION OF CREDIT/REIMBURSEMENT PROGRAM

Certain builders/developers may be required to pay CFD Costs and fund and construct Authorized Facilities that are ultimately intended to be funded from Facilities Special Tax revenues. The City shall implement a Special Tax Credit and reimbursement program, which will ensure that builders/developers that pay more than their fair share of the CFD Costs and/or Authorized Facilities costs will be reimbursed for the overage.

At the request of the landowners and developers at the time this Rate and Method of Apportionment was prepared and CFD No. 1998-2 was formed, all credits and reimbursements to builder/developers who provide Authorized Facilities shall be in amounts equal to the costs set forth for those Authorized Facilities in the CFD Public Report (except as adjusted as described below). Pursuant to this request, whether the actual cost to build an Authorized Facility is higher or lower than the amount shown in the CFD Public Report for that Authorized Facility, a builder/developer shall be credited and/or reimbursed for the dollar amount included in the CFD Public Report for that Authorized Facility. If there is a cost savings for one Authorized Facility and a cost overrun for another, there is no opportunity pursuant to this Rate and Method of Apportionment for the cost savings to offset the cost overrun.

The following steps shall be applied to implement the credit/reimbursement program:

On an Ongoing Basis

- In January 2002 and each January thereafter, the Administrator shall escalate the following items by four percent (4%): (i) the Facilities Special Tax assigned to each Parcel, (ii) the Credit/Reimbursement Amount outstanding for any builder/developer, and (iii) the costs of Authorized Facilities that have not yet been constructed. An updated list of these three items shall be available each year by February 15.
• The Administrator will keep a current list of the adjustments that have been applied in each year to the items listed above.

• The Administrator will keep track of which Authorized Facilities shown in Attachment 1 have been fully credited or reimbursed to establish the next Authorized Facility to be funded according to the Order of Priority.

• For builder/developers who pay more than their pro-rata share of the cost of particular Authorized Facilities and/or CFD Costs and are due a reimbursement after applying Special Tax Credits, the Administrator shall keep track of the date on the “Notice of Completion of Public Facilities to be Acquired by CFD No. 1998-2” (or other such certificate issued by the City) to ensure that reimbursements of costs that fall within the same Order of Priority will be made on a first incurred/first paid basis.

\[ \text{When a Final Map is Approved by the City Council:} \]

\[ \text{Step 1.} \quad \text{The Administrator shall determine which Authorized Facilities the builder/developer subdividing the property has funded;} \]

\[ \text{Step 2.} \quad \text{The Administrator shall determine the Order of Priority for the Authorized Facilities funded by the builder/developer. If the improvements are not first in the Order of Priority, the Administrator shall determine whether facilities that are of a higher priority have yet been fully reimbursed or credited;} \]

\[ \text{Step 3.} \quad \text{By reference to the detailed cost estimates set forth in the CFD Public Report, the Administrator shall determine the estimated 1998 cost that had been included in the maximum Facilities Special Tax for the Authorized Facilities provided by the builder/developer;} \]

\[ \text{Step 4.} \quad \text{Using 2002 as the first year of escalation, the Administrator shall escalate the cost of the Authorized Facilities (as shown in the CFD Public Report) provided by the builder/developer to the year in which the Credit/Reimbursement Amount is being calculated. This escalation shall apply on an annual basis (i.e., subtract 2001 from the then current year to determine how many years worth of escalation to apply) and shall be compounded in the same manner as the Facilities Special Tax has been escalated. This escalated cost represents the total Credit/Reimbursement Amount due to the builder/developer, the balance of which, as of the year 2002 and each year following, shall be escalated by four percent (4%) each year until fully reimbursed or credited against Facilities Special Taxes paid by the builder/developer.} \]
Prior to final building permit inspection or issuance of a certificate of occupancy (whichever occurs first)

Note: the following steps may be applied to a single Parcel or a group of Parcels (i.e., all residential lots within a particular Final Map)

The Administrator shall determine if the builder/developer has an outstanding Credit/Reimbursement Amount and apply one of the following:

Step 1. If there is an outstanding Credit/Reimbursement Amount for the builder/developer, the Administrator shall apply the following steps to determine if a Facilities Special Tax is due from the subject Parcel(s):

Step 1a. Identify the Facilities Special Tax that would have been paid by the Parcel(s) if no Credit/Reimbursement Amount were outstanding;

Step 1b. Multiply the amount determined in Step 1a by .07 to calculate the Administration Component, which shall be due and payable to the City prior to final building permit inspection or issuance of a certificate of occupancy (whichever comes first);

Step 1c. Subtract the Administration Component calculated in Step 1b from the Facilities Special Tax identified in Step 1a to calculate the net amount that could be collected for facility costs, and apply one of the following:

- If the net amount determined in Step 1c is less than the outstanding Credit/Reimbursement Amount for the builder/developer, the Administration Component calculated in Step 1b shall be collected and the builder/developer shall be given a Special Tax Credit against the remainder of the Facilities Special Tax for that Parcel(s). After the Special Tax Credit has been calculated, the Administrator shall subtract that amount from the outstanding Credit/Reimbursement Amount for that builder/developer.

- If the net amount determined in Step 1c is greater than the outstanding Credit/Reimbursement Amount for the builder/developer, subtract the outstanding Credit/Reimbursement Amount from the net amount of Facilities Special Tax calculated in Step 1c to determine the amount that must be paid by the builder/developer. If the calculation is being prepared...
for multiple Parcels at one time, the builder/developer may use up the remaining Credit/Reimbursement Amount by taking Special Tax Credits against the first lots to develop and pay the remaining balance when the subsequent lots develop. The Administrator shall update the CFD records to reflect a zero Credit/Reimbursement Amount for that builder/developer.

Step 2. If there is **not** an outstanding Credit/Reimbursement Amount for the builder/developer, the Administrator shall apply the following steps:

**Step 2a.** Identify the Facilities Special Tax assigned to the Parcel(s), which shall be due and payable to the City prior to final building permit inspection or issuance of a certificate of occupancy (whichever comes first);

**Step 2b.** Multiply the amount determined in Step 2a by .07 to calculate the Administration Component, which shall remain on deposit with the City;

**Step 2c.** Subtract the Administration Component calculated in Step 2b from the Facilities Special Tax identified in Step 2a to calculate the net amount that shall be collected to provide reimbursements to builder/developers with outstanding Credit/Reimbursement Amounts;

**Step 2d.** Determine whether there is an outstanding Credit/Reimbursement Amount due other builder/developers in the CFD and apply one of the following:

- If there are outstanding Credit/Reimbursement Amounts, look at the Order of Priority of the Authorized Facilities for which a Credit/Reimbursement Amount is due. In addition, identify the dates on the "Notice of Completion of Public Facilities to be Acquired by CFD No. 1998-2" (or other such certificate issued by the City) which were provided to each builder/developer for which a Credit/Reimbursement Amount is outstanding. Reimbursements shall be paid based on the Order of Priority and, if there are multiple Credit/Reimbursement Amounts due within the same priority level, based on the date on which a "Notice of Completion of Public Facilities to be Acquired by CFD No. 1998-2" was issued to each
builder/developer. After the reimbursements are made, the Administrator shall reduce the Credit/Reimbursement Amount for the builder/developer(s) who received reimbursement by the amount of such reimbursement.

If there are no outstanding Credit/Reimbursement Amounts due any builder/developer, the City shall deposit the Facilities Special Tax into an account which will be designated for funding the Authorized Facilities. The balance in this fund will be used either to pay directly for the construction of Authorized Facilities or to reimburse a builder/developer who constructs Authorized Facilities in future years. The interest earned on funds in this account shall accrue to the account for the same purposes.

E. METHOD OF LEVY AND COLLECTION OF THE SPECIAL TAX

1. Facilities Special Tax

The maximum Facilities Special Tax determined pursuant to Section C above 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.

2. Annual Maintenance Special Tax

Commencing with Fiscal Year 1999-00 and for each following Fiscal Year, the Administrator shall determine the Maintenance Special Tax Requirement for that Fiscal Year. The Annual Maintenance Special Tax shall then be levied on all Parcels of Subdivided Property as follows:

Step 1: Calculate the total Maintenance Special Tax revenues that could be collected from Subdivided Property within the CFD based on application of the maximum Annual Maintenance Special Tax rates determined pursuant to Section C.2 above;

Step 2: Divide the Maintenance Special Tax Requirement by the maximum revenues that could be collected as determined in Step 1;
Step 3: If the ratio determined in Step 2 is greater than or equal to 1, levy the maximum Annual Maintenance Special Tax determined pursuant to Section C.2 on all Subdivided Property in the CFD. If the ratio determined in Step 2 is less than 1, continue to Step 4.

Step 4: If the ratio determined in Step 2 is less than 1, levy the maximum Annual Maintenance Special Tax against all Parcels of Subdivided Property in equal percentages up to 100% of the maximum Annual Maintenance Special Tax determined pursuant to Section C.2 above until the amount so levied equals the Maintenance Special Tax Requirement for the Fiscal Year.

The Annual Maintenance Special Tax for CFD No. 1998-2 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that CFD No. 1998-2 may (under the authority of Government Code Section 53340), in any particular case, bill the taxes directly to the property owner, off the County tax roll, and the Special Taxes will be equally subject to foreclosure if delinquent as annual Special Taxes levied on the County tax roll.

In no event shall the Maintenance Special Tax levied and collected in one Tax Area be increased due to delinquencies in the other Tax Area.

F. LIMITATIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax and Reimbursements, no Special Tax shall be levied on structures built on land that has been conveyed to a Public Agency, except as otherwise provided in Sections 53317.3 and 53317.5 of the Mello-Roos Community Facilities Act of 1982. No Annual Maintenance Special Tax shall be levied on Church Property unless such Church Property is built on a Parcel or Parcels that had previously been developed with residential or non-residential land uses which had paid the Annual Maintenance Special Tax. The maximum Annual Maintenance Special Tax assigned to such Church Property would be equal to the maximum Annual Maintenance Special Tax that had previously been assigned to the residential or non-residential land uses on the property.

The Maintenance Special Tax will continue to be levied and collected unless and until the City determines that Maintenance Special Tax revenues are no longer needed to pay authorized services of the CFD.

G. ENFORCEMENT

All delinquent Facility Special Taxes, or delinquent Annual Maintenance Special Taxes billed off the County tax roll, shall be subject to an immediate 10% penalty plus simple interest charges of
1.5% as of the first day of the month after the delinquency date and on the first day of each month thereafter. Any such delinquent Special Taxes shall, at the City's discretion, be placed on the next secured property tax roll. The amount placed on the roll shall include the 10% penalty and the interest charges through the following January 1. This shall not prevent the City from simultaneously pursuing the delinquency by an action on a contract or guarantee against a third party who promised to pay the taxes, or from assigning such right of action to the property owner or other appropriate party.
ATTACHMENT 1

COMMUNITY FACILITIES DISTRICT NO. 1998-2
(CARVER BANGS/PELANDALE-SNYDER)
ORDER OF PRIORITY OF AUTHORIZED FACILITIES

First Priority
- Storm drain basin construction (including but not limited to basins, inlet structures, pipelines, and fencing)
- Storm drain trunkline in Snyder Avenue adjacent to school and park sites
- CFD Costs (as identified in the CFD Public Report)
- Engineering design costs for storm drain related improvements (including geotechnical)

Second Priority
- Storm drain basin land purchase for both basins (Van Konynenburg properties), east and west of Modest Irrigation District lateral No. 6

Third Priority
- Storm drain trunk lines (other than trunkline in Snyder Avenue adjacent to school and park sites)

[Note that storm drain trunk lines are specific to each tax area and will remain a third priority within a tax area until all trunk lines within that tax area are credited or reimbursed.]

Fourth Priority
- Storm drain pump station, piping and landscaping around storm drainage basin

Fifth Priority, Tax Area A (Carver Bangs)
- Bike trail
- American Avenue
- Prescott Road
- Bangs Avenue
- Carver Road
- American Avenue crossing of Modesto Irrigation District lateral No. 6
- Pedestrian bridge crossing of Modesto Irrigation District lateral No. 6

Fifth Priority, Tax Area B (Pelandale-Snyder)
- Bike trail
- Dale Road
- Prescott Road
- Tully Road
- Snyder Avenue (opposite)
- Tully/Snyder traffic signal
## Maximum Facilities Special Tax

### Carver-Bangs

- **Infrastructure Costs, other than Storm Drainage**
  - $986,097
- **Plus: Administration 7.00%**
  - $69,027
- **Subtotal, Costs other than Storm Drainage**
  - $1,055,124

- **Storm Drainage Costs**
  - $1,494,750
- **Plus: Administration 7.00%**
  - $104,633
- **Subtotal, Storm Drainage Costs**
  - $1,599,383

**Total Costs Assigned to Tax Area**

- $2,654,506

### Pelandale-Snyder

- **Infrastructure Costs, other than Storm Drainage**
  - $3,494,846
- **Plus: Administration 7.00%**
  - $244,439
- **Subtotal, Costs other than Storm Drainage**
  - $3,739,285

- **Storm Drainage Costs**
  - $4,389,042
- **Plus: Administration 7.00%**
  - $307,233
- **Subtotal, Storm Drainage Costs**
  - $4,696,275

**Total Costs Assigned to Tax Area**

- $8,435,760

### Assessment Parcel Information

- **Tax Area A. Carver-Bangs**
  - **Assessor Parcel No.**
    - 78 12 02
    - 78 18 23
    - 78 18 24
    - 78 18 14
    - 46 07 15
    - 46 07 16
    - 46 07 18
    - 46 07 19
    - 46 07 20

  - **Property Owner**
    - Calvary Chapel
    - Calvary Chapel
    - William Han
    - Lowry, Luscher, Donovan
    - Kaufman & Broad
    - Elaine Fowler
    - Ronald Malik
    - Ronald Malik
    - Ronald Malik

  - **Net Acreage**
    - 0.89
    - 14.19
    - 22.60
    - 16.39
    - 18.11
    - 8.75
    - 19.30
    - 8.31
    - 137.44

  - **1998 Maximum Facilities Special Tax**
    - $17,189
    - $274,065
    - $558,173
    - $436,495
    - $316,555
    - $349,775
    - $168,997
    - $372,759
    - $160,499
    - $2,654,506

- **Tax Area B. Pelandale-Snyder**
  - **Assessor Parcel No.**
    - 78 18 06
    - 78 18 22
    - 78 18 28
    - 78 18 12
    - 46 07 17
    - 46 07 11
    - 46 07 12
    - 46 07 22
    - 46 07 09
    - 46 07 07
    - 46 07 06
    - 46 07 08
    - 46 03 02
    - 46 03 06
    - 46 03 07
    - 46 03 09

  - **Property Owner**
    - TRS Enterprises
    - Vossoughi Investments
    - Rodney K. Lowe, Inc.
    - Corn-Harris Development
    - Resource Development
    - Marlene Johnston, et al.
    - Verna Mae Johnson Trust
    - William P. Couture
    - Red Rock Ranch
    - Walker Family Partnership
    - Resource Development
    - Resource Development
    - Brent & Diana Holtz
    - Big Valley Grace Comm. Church
    - Big Valley Grace Comm. Church
    - Big Valley Grace Comm. Church
    - Big Valley Grace Comm. Church

  - **Net Acreage**
    - 35.45
    - 18.67
    - 18.35
    - 20.62
    - 24.08
    - 17.95
    - 35.65
    - 13.05
    - 26.90
    - 13.89
    - 4.58
    - 18.62
    - 7.20
    - 9.07
    - 9.07
    - 317.73

  - **1998 Maximum Facilities Special Tax**
    - $968,228
    - $509,924
    - $501,184
    - $563,184
    - $657,685
    - $443,009
    - $490,259
    - $973,591
    - $336,428
    - $754,706
    - $379,371
    - $125,091
    - $508,559
    - $196,650
    - $247,724
    - $494,356
    - $285,711
    - $8,435,760

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1 Maximum taxes shall be increased each year by four percent of the amount in effect in the prior year.
ATTACHMENT 3

COMMUNITY FACILITIES DISTRICT NO. 1998-2
(CARVER BANGS/PELANDALE-SNYDER)

IDENTIFICATION OF TAX AREA A AND TAX AREA B
APPENDIX C

CITY OF MODESTO
COMMUNITY FACILITIES DISTRICT NO. 1998-2

DETAILED FACILITY COST ESTIMATES
CARVER-BANGS
(TAX AREA A)

DETAILED FACILITY COST ESTIMATES
CARVER / BANGS (TAX AREA A)  
SPECIFIC PLAN AREA 
COMMUNITY FACILITIES DISTRICT (CFD) 1998-2 
SUMMARY 

I. CARVER / BANGS SPECIFIC PLAN AREA  
TOTAL ESTIMATED CFD COSTS  
$2,424,418  

A. C.F.D. FEE PER NET ACRE  
$2,424,418 / 137.44 NET ACRES = COST PER NET ACRE =========>  
$17,640  

B. ANNUAL LANDSCAPE MAINTENANCE COSTS PER NET ACRE  
COST PER NET ACRE ===========>  
$715  

CARVER / BANGS (TAX AREA A)  
SPECIFIC PLAN AREA  
CFD REIMBURSEMENT PRIORITY  

I. ORDER OF REIMBURSEMENT AND/OR CREDIT  

A. FIRST PRIORITY  
1. STORM DRAIN BASIN CONSTRUCTION (INCLUDING BUT NOT LIMITED TO BASINS, INLET STRUCTURES, PIPELINES, AND FENCING)  
2. STORM DRAIN TRUNKLINE IN SNYDER AVENUE ADJACENT TO SCHOOL AND PARK SITES.  
3. ALL CFD RELATED FORMATION COSTS (I.E., CITY OF MODESTO, DAVID TAUSSIG AND ASSOCIATES, KAUFMAN & BROAD, RON MALIK, MID-VALLEY ENGINEERING, J.B. ANDERSON LAND PLANNING, RUSSELL A. HARRISON, CONSULTING CIVIL ENGINEER, INC.; AND HERUM, CRABTREE, DYER, ZOLEZZI AND TERPSTRA).  
4. ALL ENGINEERING DESIGN COSTS FOR STORM DRAIN RELATED IMPROVEMENTS (INCLUDING GEOTECHNICAL).  

B. SECOND PRIORITY  
1. STORM DRAIN BASIN LAND PURCHASE FOR BOTH BASINS (VAN KONYNENBURG PROPERTIES), EAST AND WEST OF MODESTO IRRIGATION DISTRICT LATERAL NO. 6.  

C. THIRD PRIORITY  
1. STORM DRAIN TRUNK LINES.  

D. FOURTH PRIORITY  
1. STORM DRAIN PUMP STATION, PIPING AND LANDSCAPING AROUND THE STORM DRAIN BASIN.  

E. FIFTH PRIORITY  
1. BIKE TRAIL.  
2. AMERICAN AVENUE.  
3. PRESCOTT ROAD.  
4. BANGS AVENUE.  
5. CARVER ROAD.  
7. PEDESTRIAN BRIDGE CROSSING OF MODESTO IRRIGATION DISTRICT LATERAL NO. 6.
CARVER BANGS SPECIFIC PLAN AREA (TAX AREA A)
COMMUNITY FACILITIES
DISTRICT FORMATION
COST SUMMARY

A. STORM DRAINAGE $1,494,750

B. PRESCOTT ROAD $145,422

C. AMERICAN AVENUE $24,033

D. BANGS AVENUE $254,305

E. CARVER ROAD $57,270

F. AMERICAN AVENUE CANAL CROSSING $295,066

G. CLASS 1 BIKE TRAIL $142,500

H. FORMATION COSTS $67,500

TOTAL CFD COSTS = $2,480,847

NOTE:
1. THE ABOVE TOTAL COSTS DO NOT INCLUDE THE ANNUAL LANDSCAPE MAINTENANCE COSTS FOR PLAN AREA. THE ANNUAL LANDSCAPE MAINTENANCE COSTS IS ESTIMATED AT $751 PER ACRE.

2. FINAL BID QUANTITIES MAY INCLUDE MORE DETAILED LINE ITEMS WHICH SHALL BE ALL INCLUSIVE WITHIN LUMP SUM AMOUNTS OR QUANTITIES SHOWN IN THIS DOCUMENT.
### CARVER-BANGS SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER’S ESTIMATE
FOR
STORM DRAIN TRUNK LINES
AND
PROPORTIONATE SHARE OF PELANDALE-SNYDER
STORM DRAIN BASIN AND APPURTENANCES
(REFERENCE FIGURE 1)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. STORM DRAIN TRUNK LINES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. 30” STORM</td>
<td>2,549</td>
<td>LF</td>
<td>$100.00</td>
<td>$254,900</td>
<td></td>
</tr>
<tr>
<td>2. 36” STORM</td>
<td>1,279</td>
<td>LF</td>
<td>$121.00</td>
<td>$154,759</td>
<td></td>
</tr>
<tr>
<td>3. 48” STORM</td>
<td>597</td>
<td>LF</td>
<td>$161.00</td>
<td>$96,117</td>
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<tr>
<td>4. SHARE OF 54” STORM DRAIN TO BASIN</td>
<td>46</td>
<td>LF</td>
<td>$182.00</td>
<td>$8,372</td>
<td></td>
</tr>
<tr>
<td>5. MANHOLES</td>
<td>14</td>
<td>EA</td>
<td>$5,750.00</td>
<td>$80,500</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>SUB-TOTAL STORM DRAIN TRUNK LINES</strong></td>
<td><strong>$594,648</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>10% CONTINGENCY</td>
<td><strong>$59,465</strong></td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>TOTAL CONSTRUCTION - STORM DRAIN TRUNK LINES</strong></td>
<td><strong>$554,113</strong></td>
<td></td>
</tr>
<tr>
<td>II. STORM DRAINAGE BASIN FACILITIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. STORM DRAIN BASIN EXCAVATION</td>
<td>42,628</td>
<td>CY</td>
<td>$6.00</td>
<td>$255,768</td>
<td></td>
</tr>
<tr>
<td>2. STORM DRAIN PUMP STATION</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$165,445.00</td>
<td>$165,445</td>
<td></td>
</tr>
<tr>
<td>3. STORM DRAIN PIPING (PLUS JACK &amp; BORE)</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$8,943.00</td>
<td>$8,943</td>
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<tr>
<td>4. FENCING</td>
<td>1,227</td>
<td>LF</td>
<td>$16.00</td>
<td>$19,632</td>
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</tr>
<tr>
<td>5. LANDSCAPING</td>
<td>10,433</td>
<td>SF</td>
<td>$2.80</td>
<td>$29,212</td>
<td></td>
</tr>
<tr>
<td>6. INLETS</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$2,981.00</td>
<td>$2,981</td>
<td></td>
</tr>
<tr>
<td>7. STRIPPING / CLEARING / DISCING</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$2,981.00</td>
<td>$2,981</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>SUB-TOTAL STORM DRAIN BASIN FACILITIES</strong></td>
<td><strong>$484,962</strong></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>10% CONTINGENCY</td>
<td><strong>$48,496</strong></td>
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<td><strong>TOTAL STORM DRAIN BASIN FACILITIES</strong></td>
<td><strong>$533,459</strong></td>
<td></td>
<td></td>
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<tr>
<td>B. FEES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. ENGINEERING</td>
<td>1</td>
<td>EST</td>
<td>$29,808.00</td>
<td>$29,808</td>
<td></td>
</tr>
<tr>
<td>2. STAKING</td>
<td>1</td>
<td>EST</td>
<td>$14,755.00</td>
<td>$14,755</td>
<td></td>
</tr>
<tr>
<td>3. CONSTRUCTION MANAGEMENT</td>
<td>1</td>
<td>EST</td>
<td>$19,873.00</td>
<td>$19,873</td>
<td></td>
</tr>
<tr>
<td>4. GEOTECHNICAL</td>
<td>1</td>
<td>EST</td>
<td>$5,365.00</td>
<td>$5,365</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>TOTAL FEES</strong></td>
<td><strong>$64,436</strong></td>
<td></td>
</tr>
</tbody>
</table>
Preliminary Engineer's Estimate
October 23, 1998

ITEM DESCRIPTION QUAN. UNIT COST AMOUNT

C. LAND ACQUISITION

1. LAND PURCHASE 29.61% OF TOTAL COST OF $1,030,239 = $305,054
   LUMP SUM LS $2,125,00 $2,125
   TOTAL LAND ACQUISITION = $307,179

   GRAND TOTAL = $1,494,750

NOTES:

1. THE CARVER-BANGS PROPORTIONATE SHARE OF THE STORM DRAIN BASIN AND APPURtenANCE WAS DERIVED FROM A PER GROSS ACRE SHARE. THE FOLLOWING REPRESENTS THE FORMULA USED FOR CONSTRUCTION AND FEES:

   A. GROSS ACREAGE SUMMARY

      PELANDALE / SNYDER
      CARVER / BANGS
      357.46
      151.80

      TOTAL GROSS ACRES = 509.26

   B. CARVER / BANGS PROPORTIONATE SHARE

      151.80 / 509.26 = 29.81%

2. STORM DRAIN TRUNK LINE AND BASIN SIZING WERE TAKEN FROM THE PELANDALE-SNYDER AND CARVER-BANGS STORM DRAINAGE SYSTEM PLANS DATED AUGUST 5, 1998 PREPARED BY MID-VALLEY ENGINEERING, INC.

3. STORM DRAIN BASIN EXCAVATION INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING: PIPE DOW DRAINS, SPLASH PADS, LOW FLOW CHANNEL AND ROCK TRENCH, A.C. PAVING, DISPOSAL AREA GROUND PREPARATION, 6" A.C. BERMS, AND REMOVAL OF EXISTING IRRIGATION LINES.
CARVER-BANGS SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
PRESCOTT ROAD (20' CFD PORTION)
FROM
PELANDALE AVENUE TO BANGS AVENUE (1,323' C.L. TO C.L.)
(REFERENCE FIGURE 2)

<table>
<thead>
<tr>
<th>ITEM DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. CONSTRUCTION (20' CFD PORTION)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. CLEARING AND GRADING</td>
<td>24,675</td>
<td>SF</td>
<td>$0.60</td>
<td>$14,805</td>
</tr>
<tr>
<td>2. PAVEMENT (0.50' A.C. OVER 0.65' A.B., T.I = 10 R.V. = 50)</td>
<td>24,675</td>
<td>SF</td>
<td>$2.00</td>
<td>$49,350</td>
</tr>
<tr>
<td>3. STORM DRAINAGE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. CATCH BASINS</td>
<td>4</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$4,000</td>
</tr>
<tr>
<td>b. 12&quot; CATCH BASIN RUNS (50 L.F. PER C.B.)</td>
<td>200</td>
<td>LF</td>
<td>$30.00</td>
<td>$6,000</td>
</tr>
<tr>
<td>c. MANHOLES</td>
<td>2</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$4,000</td>
</tr>
<tr>
<td>4. PRIME COAT</td>
<td>24,675</td>
<td>SF</td>
<td>$0.02</td>
<td>$494</td>
</tr>
<tr>
<td>5. STRIPING / SIGNAGE</td>
<td>1</td>
<td>EST</td>
<td>$3,207.75</td>
<td>$3,208</td>
</tr>
</tbody>
</table>

CONSTRUCTION TOTAL ====> $81,856
15% CONTINGENCY ====> $12,278
TOTAL PRESCOTT ROAD CONSTRUCTION ====> $94,135

B. FEES | | | | |
| 1. ENGINEERING (6% OF CONSTRUCTION TOTAL) | 1 | EST | $5,648.08 | $5,648 |
| 2. STAKING (3% OF CONSTRUCTION TOTAL) | 1 | EST | $2,824.04 | $2,824 |
| 3. CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL) | 1 | EST | $3,765.39 | $3,765 |

TOTAL FEES ====> $12,238

C. LAND ACQUISITION | | | | |
| 1. RIGHT-OF-WAY DEDICATION | 0.57 | AC | $65,000.00 | $37,050 |
| 2. RIGHT-OF-WAY ADMINISTRATION | LUMP SUM | LS | $2,000.00 | $2,000 |

TOTAL LAND ACQUISITION ====> $39,050

GRAND TOTAL ====> $145,422

NOTES:

1. THE ABOVE ESTIMATE IS FOR THE PORTION OF PRESCOTT ROAD IMPROVEMENTS WHICH IS ABOVE AND BEYOND A NORMAL CITY STANDARD COLLECTOR STREET (60' WIDE) AND WHICH IS NOT FUNDED THROUGH THE CITY'S CFF PROGRAM. (SEE FIGURE 2).

2. THE ABOVE ESTIMATE ONLY INCLUDES THE STORM DRAIN COSTS FOR THE CATCH BASINS, STORM DRAIN CATCH BASIN LATERALS AND STORM MANHOLES WHICH IS ASSUMED TO BE A PROPORTIONATE SHARE OF THE STORM IMPROVEMENTS. THE "MAINLINE" STORM DRAIN IMPROVEMENTS ARE TO BE INSTALLED BY ADJACENT DEVELOPMENT.

3. THE R-VALUE ASSUMPTIONS WERE DERIVED FROM SOILS REPORTS PREPARED BY KLEINFelder, INC. FOR THE FOLLOWING SUBDIVISIONS: KENSINGTON PARK, TUSCANY, EASTPORT AND ALMOND VALLEY.

...
NOTES:


2. BASED ON CITY POLICY, 40' OF IMPROVEMENTS ARE CONSTRUCTED BY THE ADJOINING DEVELOPMENT. THE 40' SECTION IS CONSTANT AT THE FLARED INTERSECTIONS.

3. THE STANDARD CITY CROSS SECTION FOR A MINOR COLLECTOR STREET IS 60' TOTAL. COLLECTOR STREETS ARE ENTIRELY CONSTRUCTED BY THE ADJOINING DEVELOPMENT.

4. THE REMAINING PORTION THAT IS NOT FUNDED BY THE CITY'S CFD PROGRAM AND IS NOT WITHIN THE STANDARD 60' MINOR COLLECTOR SECTION IS INCLUDED WITHIN THE CFD.
CARVER-BANGS SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
AMERICAN AVENUE (2' CFD PORTION HALF SECTION ONLY)
FROM
PELANDALE AVENUE TO BANGS AVENUE (1,350' C.L. TO C.L.)
(REFERENCE FIGURE 3)

<table>
<thead>
<tr>
<th>ITEM DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. CONSTRUCTION (CFD PORTION)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. CLEARING AND GRADING</td>
<td>2,535</td>
<td>SF</td>
<td>$0.35</td>
<td>$887</td>
</tr>
<tr>
<td>2. PAVEMENT (0.40' A.C. OVER 0.45' A.B., T.I. = 8</td>
<td>2,535</td>
<td>SF</td>
<td>$1.75</td>
<td>$4,436</td>
</tr>
<tr>
<td>3. STORM DRAINAGE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. CATCH BASINS</td>
<td>2</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$2,000</td>
</tr>
<tr>
<td>b. 12&quot; CATCH BASIN RUNS (50 L.F. PER C.B.)</td>
<td>100</td>
<td>LF</td>
<td>$30.00</td>
<td>$3,000</td>
</tr>
<tr>
<td>c. MANHOLES</td>
<td>2</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$4,000</td>
</tr>
<tr>
<td>4. PRIME COAT</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$100.00</td>
<td>$100</td>
</tr>
<tr>
<td>5. STRIPING / SIGNAGE (5% OF GRADING AND PAVEMENT COSTS)</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$300.00</td>
<td>$300</td>
</tr>
<tr>
<td>CONSTRUCTION TOTAL</td>
<td>======&gt;</td>
<td></td>
<td></td>
<td>$14,724</td>
</tr>
<tr>
<td>15% CONTINGENCY</td>
<td>======&gt;</td>
<td></td>
<td></td>
<td>$2,209</td>
</tr>
<tr>
<td>TOTAL PRESCOTT ROAD CONSTRUCTION</td>
<td>======&gt;</td>
<td></td>
<td></td>
<td>$16,932</td>
</tr>
</tbody>
</table>

B. FEES
1. ENGINEERING (6% OF CONSTRUCTION TOTAL) | 1 | EST | $1,015.92 | $1,016 |
2. STAKING (3% OF CONSTRUCTION TOTAL) | 1 | EST | $507.96 | $508 |
3. CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL) | 1 | EST | $677.28 | $677 |
| TOTAL FEES | ======> | | | $2,201 |

C. LAND ACQUISITION
1. RIGHT-OF-WAY DEDICATION | 0.06 | AC | $65,000.00 | $3,900 |
2. RIGHT-OF-WAY ADMINISTRATION | LUMP SUM | LS | $1,000.00 | $1,000 |
| TOTAL LAND ACQUISITION | ======> | | | $4,900 |
| GRAND TOTAL | ======> | | | $24,033 |

NOTES:
1. THE ABOVE ESTIMATE IS FOR THE PORTION OF AMERICAN AVENUE IMPROVEMENTS WHICH IS ABOVE AND BEYOND A NORMAL CITY STANDARD COLLECTOR STREET (60' WIDE) AND WHICH IS NOT FUNDED THROUGH THE CITY'S CFF PROGRAM. (SEE FIGURE 3).
2. THE ABOVE ESTIMATE ONLY INCLUDES THE STORM DRAIN COSTS FOR THE CATCH BASINS, STORM DRAIN CATCH BASIN LATERALS AND STORM MANHOLES WHICH IS ASSUMED TO BE A PROPORTIONATE SHARE OF THE STORM IMPROVEMENTS. THE "MAINLINE" STORM DRAIN IMPROVEMENTS ARE TO BE INSTALLED BY ADJACENT DEVELOPMENT.
3. THE R-VALUE ASSUMPTIONS WERE DERIVED FROM SOILS REPORTS PREPARED BY KLEINFELDER, INC.
NOTES:
1. BASED ON CITY POLICY, THE PORTION OF THE ROADWAY IMPROVEMENTS ABOVE AND BEYOND THE
ADJACENT DEVELOPERS RESPONSIBILITY IS INCLUDED IN THE CFF PROGRAM. THE CFF PORTION GETS WIDER
AS THE ROAD SECTION FLARES AT THE PRESCOTT/BANGS AND PRESCOTT/PELANDALE INTERSECTIONS.

2. BASED ON CITY POLICY, 40' OF IMPROVEMENTS ARE CONSTRUCTED BY THE ADJOINING DEVELOPMENT.
THE 40' SECTION IS CONSTANT AT THE FLARED INTERSECTIONS.

3. THE STANDARD CITY CROSS SECTION FOR A MINOR COLLECTOR STREET IS 60' TOTAL. COLLECTOR
STREETS ARE ENTIRELY CONSTRUCTED BY THE ADJOINING DEVELOPMENT.

4. THE REMAINING PORTION THAT IS NOT FUNDED BY THE CITY'S CFF PROGRAM AND IS NOT WITHIN
THE STANDARD 60' MINOR COLLECTOR SECTION IS INCLUDED WITHIN THE CFD.
CARVER-BANGS SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
BANGS AVENUE (9' CFD PORTION, HALF SECTION ONLY)
FROM
AMERICAN AVENUE TO CARVER ROAD (5,350' C.L. TO C.L.)
(REFERENCE FIGURE 4)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. CONSTRUCTION (CFD PORTION)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>CLEARING AND GRADING</td>
<td>48,150</td>
<td>SF</td>
<td>$0.35</td>
<td>$16,853</td>
</tr>
<tr>
<td>2.</td>
<td>PAVEMENT (0.40' A.C. OVER 0.45' A.B., T.I. = 8 R.V. = 50)</td>
<td>48,150</td>
<td>SF</td>
<td>$1.75</td>
<td>$84,263</td>
</tr>
<tr>
<td>3.</td>
<td>STORM DRAINAGE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a.</td>
<td>CATCH BASINS</td>
<td>7</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$7,000</td>
</tr>
<tr>
<td>b.</td>
<td>12&quot; CATCH BASIN RUNS (50 L.F. PER C.B.)</td>
<td>350</td>
<td>LF</td>
<td>$30.00</td>
<td>$10,500</td>
</tr>
<tr>
<td>c.</td>
<td>MANHOLES</td>
<td>7</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$14,000</td>
</tr>
<tr>
<td>4.</td>
<td>PRIME COAT</td>
<td>48,150</td>
<td>SF</td>
<td>$0.02</td>
<td>$963</td>
</tr>
<tr>
<td>5.</td>
<td>STRIPING / SIGNAGE (5% OF GRADING AND PAVEMENT COSTS)</td>
<td>1</td>
<td>EST</td>
<td>$5,055.75</td>
<td>$5,056</td>
</tr>
</tbody>
</table>

CONSTRUCTION TOTAL ===> $138,634
15% CONTINGENCY ===> $20,795
TOTAL PRESCOTT ROAD CONSTRUCTION ===> $159,429

B. FEES | | | | |
| 1. | ENGINEERING (6% OF CONSTRUCTION TOTAL) | 1 | EST | $9,565.73 | $9,566 |
| 2. | STAKING (3% OF CONSTRUCTION TOTAL) | 1 | EST | $4,782.86 | $4,783 |
| 3. | CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL) | 1 | EST | $6,377.15 | $6,377 |

TOTAL FEES ===> $20,726

C. LAND ACQUISITION | | | | |
| 1. | RIGHT-OF-WAY DEDICATION | 1.11 | AC | $65,000.00 | $72,150 |
| 2. | RIGHT-OF-WAY ADMINISTRATION | LUMP SUM | LS | $2,000.00 | $2,000 |

TOTAL LAND ACQUISITION ===> $74,150
GRAND TOTAL ===> $254,305

NOTES:

1. THE ABOVE ESTIMATE IS FOR THE PORTION OF BANGS AVENUE IMPROVEMENTS WHICH IS ABOVE AND BEYOND A NORMAL CITY STANDARD COLLECTOR STREET (60' WIDE) AND WHICH IS NOT FUNDED THROUGH THE CITY’S CFF PROGRAM. (SEE FIGURE 4).

2. THE ABOVE ESTIMATE ONLY INCLUDES THE STORM DRAIN COSTS FOR THE CATCH BASINS, STORM DRAIN CATCH BASIN LATERALS AND STORM MANHOLES WHICH IS ASSUMED TO BE A PROPORTIONATE SHAPE OF THE STORM IMPROVEMENTS. THE "MAINLINE" STORM DRAIN IMPROVEMENTS ARE TO BE INSTALLED BY ADJACENT DEVELOPMENT.

3. THE R-VALUE ASSUMPTIONS WERE DERIVED FROM SOILS REPORTS PREPARED BY KLEINFELDER, INC.
BANGS AVENUE SECTION
(MID-BLOCK LOOKING EAST)

R.O.W. AT MID-BLOCK

5'          8'          8'          6'          12'          12'          6'          6'          6'          5'

SIDEWALK  LANDSCAPE AREA  PARKING  BIKE LANE  TRAVEL LANE  TRAVEL LANE  BIKE LANE  PARKING  LANDSCAPE AREA  SIDEWALK

NOTES:

2. BASED ON CITY POLICY, 40' OF IMPROVEMENTS ARE CONSTRUCTED BY THE ADJOINING DEVELOPMENT. THE 40' SECTION IS CONSTANT AT THE FLARED INTERSECTIONS.

3. THE STANDARD CITY CROSS SECTION FOR A MINOR COLLECTOR STREET IS 80' TOTAL. COLLECTOR STREETS ARE ENTIRELY CONSTRUCTED BY THE ADJOINING DEVELOPMENT.

4. THE REMAINING PORTION THAT IS NOT FUNDED BY THE CITY'S CFD PROGRAM AND IS NOT WITHIN THE STANDARD 80' MINOR COLLECTOR SECTION IS INCLUDED WITHIN THE CFD.

Figure 4
CARVER BANGS
CARVER-BANGS SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
CARVER ROAD (9' CFD PORTION, HALF SECTION ONLY)
FROM
PELANDALE AVENUE TO BANGS AVENUE
(REFERENCE FIGURE 5)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>CONSTRUCTION (9' CFD PORTION)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>CLEARING AND GRADING</td>
<td>9,900</td>
<td>SF</td>
<td>$0.35</td>
<td>$3,465</td>
</tr>
<tr>
<td>2.</td>
<td>PAVEMENT (0.40' A.C. OVER 0.45' A.B., T.I. = 8 R.V. = 50)</td>
<td>9,900</td>
<td>SF</td>
<td>$1.75</td>
<td>$17,325</td>
</tr>
<tr>
<td>3.</td>
<td>STORM DRAINAGE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a.</td>
<td>CATCH BASINS</td>
<td>2</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$2,000</td>
</tr>
<tr>
<td>b.</td>
<td>12'' CATCH BASIN LATERALS (50 L.F. PER C.B.)</td>
<td>100</td>
<td>LF</td>
<td>$30.00</td>
<td>$3,000</td>
</tr>
<tr>
<td>c.</td>
<td>MANHOLES</td>
<td>2</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$4,000</td>
</tr>
<tr>
<td>4.</td>
<td>PRIME COAT</td>
<td>9,900</td>
<td>SF</td>
<td>$0.02</td>
<td>$198</td>
</tr>
<tr>
<td>5.</td>
<td>STRIPING / SIGNAGE</td>
<td>1</td>
<td>EST</td>
<td>$1,039.50</td>
<td>$1,040</td>
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<tr>
<td></td>
<td>(5% OF GRADING AND PAVEMENT COSTS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

CONSTRUCTION TOTAL $31,028
15% CONTINGENCY $4,654
TOTAL PRESCOTT ROAD CONSTRUCTION $35,682

B. FEES
1. ENGINEERING (6% OF CONSTRUCTION TOTAL) | 1 | EST | $2,140.90 | $2,141 |
2. STAKING (3% OF CONSTRUCTION TOTAL) | 1 | EST | $1,070.45 | $1,070 |
3. CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL) | 1 | EST | $1,427.27 | $1,427 |

TOTAL FEES $4,639

C. LAND ACQUISITION
1. RIGHT-OF-WAY DEDICATION | 0.23 | AC | $65,000.00 | $14,950 |
2. RIGHT-OF-WAY ADMINISTRATION | LUMP SUM | LS | $2,000.00 | $2,000 |

TOTAL LAND ACQUISITION $16,950

GRAND TOTAL $57,270

NOTES:

1. THE ABOVE ESTIMATE IS FOR THE PORTION OF CARVER ROAD IMPROVEMENTS WHICH IS ABOVE AND BEYOND A NORMAL CITY STANDARD COLLECTOR STREET (60' WIDE) AND WHICH IS NOT FUNDED THROUGH THE CITY'S CFF PROGRAM. (SEE FIGURE 5).

2. THE ABOVE ESTIMATE ONLY INCLUDES THE STORM DRAIN COSTS FOR THE CATCH BASINS, STORM DRAIN CATCH BASIN LATERALS AND STORM MANHOLES WHICH IS ASSUMED TO BE A PROPORTIONATE SHARE OF THE STORM IMPROVEMENTS. THE "MAINLINE" STORM DRAIN IMPROVEMENTS ARE TO BE INSTALLED BY ADJACENT DEVELOPMENT.

3. THE R-VALUE ASSUMPTIONS WERE DERIVED FROM SOILS REPORTS PREPARED BY KLEINFELDER, INC. FOR THE FOLLOWING SUBDIVISIONS: KENSINGTON PARK, TUSCANY, EASTPORT AND ALMOND VALLEY.
NOTES:

2. BASED ON CITY POLICY, 40' OF IMPROVEMENTS ARE CONSTRUCTED BY THE ADJOINING DEVELOPMENT. THE 40' SECTION IS CONSTANT AT THE FLARED INTERSECTIONS.

3. THE STANDARD CITY CROSS SECTION FOR A MINOR COLLECTOR STREET IS 60' TOTAL. COLLECTOR STREETS ARE ENTIRELY CONSTRUCTED BY THE ADJOINING DEVELOPMENT.

4. THE REMAINING PORTION THAT IS NOT FUNDED BY THE CITY'S CFProgram AND IS NOT WITHIN THE STANDARD 60' MINOR COLLECTOR SECTION IS INCLUDED WITHIN THE CFProgram.
CARVER-BANGS SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
AMERICAN AVENUE
MODESTO IRRIGATION DISTRICT LATERAL NO. 6
CULVERT CROSSING AT BANGS AVENUE
(REFERENCE FIGURE 6)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>CLEARING AND GRADING</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$15,000.00</td>
<td>$15,000</td>
</tr>
<tr>
<td>2.</td>
<td>EARTHWORK</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$23,750.00</td>
<td>$23,750</td>
</tr>
<tr>
<td>3.</td>
<td>CAST-IN-PLACE REINFORCED CONCRETE 4.5' x 12' DOUBLE BOX CULVERT</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$125,000.00</td>
<td>$125,000</td>
</tr>
<tr>
<td>4.</td>
<td>INLET STRUCTURE</td>
<td>1</td>
<td>EA</td>
<td>$21,200.00</td>
<td>$21,200</td>
</tr>
<tr>
<td>5.</td>
<td>OUTLET STRUCTURE</td>
<td>1</td>
<td>EA</td>
<td>$21,200.00</td>
<td>$21,200</td>
</tr>
<tr>
<td>6.</td>
<td>FENCING</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$4,370.00</td>
<td>$4,370</td>
</tr>
<tr>
<td>7.</td>
<td>UTILITY RELOCATION</td>
<td>1</td>
<td>EST</td>
<td>$10,000.00</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

CONSTRUCTION TOTAL =====> $220,520
15% CONTINGENCY =====> $33,078
TOTAL CONSTRUCTION FOR AMERICAN AVENUE CULVERT CROSSING =====> $253,598

B. FEES | | | | | |
| 1. | ENGINEERING (6% OF CONSTRUCTION TOTAL) | 1 | EST | $15,215.88 | $15,216 |
| 2. | STAKING (3% OF CONSTRUCTION TOTAL) | 1 | EST | $7,607.94 | $7,608 |
| 3. | CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL) | 1 | EST | $10,143.92 | $10,144 |
| 4. | GEOTECHNICAL | 1 | EST | $5,000.00 | $5,000 |
| 5. | MID PERMITTING | 1 | EST | $3,500.00 | $3,500 |

TOTAL FEES =====> $41,468
GRAND TOTAL =====> $295,066

NOTES:

1. THE ABOVE ESTIMATE INCLUDES THE COST TO INSTALL AN ULTIMATE CROSSING TO ACCOMMODATE THE 64' ULTIMATE AMERICAN AVENUE CROSS SECTION AS SHOWN ON EXHIBIT 4-5 OF THE ADOPTED CARVER BANGS SPECIFIC PLAN.
M.I.D. LATERAL NO. 6
AMERICAN AVENUE CANAL CROSSING

PROPOSED AMERICAN AVENUE M.I.D. LATERAL NO. 6 CANAL CROSSING AT BANG AVENUE

FIGURE 6
CARVER BANGS
CARVER-BANGS SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
CLASS I BIKE TRAIL
AND
PEDESTRIAN ACCESS CROSSING OF
MODESTO IRRIGATION DISTRICT LATERAL NO. 6
(REFERENCE FIGURE 7)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I.</td>
<td>DESIGN PARAMETERS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>INSTALL 12' BIKE TRAIL SYSTEM (8' PATH WITH TWO-2' SHOULDER AREAS) IN ACCORDANCE WITH EXHIBIT 4-7 OF THE ADOPTED CARVER BANGS SPECIFIC PLAN</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>TOTAL LENGTH 2180 L.F. OR 0.413 MILES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>THE CITY'S CFF PROGRAM HAS THE FOLLOWING CLASS I BIKE TRAIL COSTS INCLUDED:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Existing CFF Portion</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>0.413 Miles x $105,600 =</td>
<td></td>
<td></td>
<td>$43,613</td>
<td></td>
</tr>
<tr>
<td>II.</td>
<td>CLASS I BIKE TRAIL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.</td>
<td>CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>8' BIKE PATH</td>
<td>17,440</td>
<td>SF</td>
<td>$2.00</td>
<td>$34,880</td>
</tr>
<tr>
<td>2.</td>
<td>2' GRAVEL SHOULDER EACH SIDE (2&quot; DECOMPOSED GRANITE)</td>
<td>8,720</td>
<td>SF</td>
<td>$0.30</td>
<td>$2,616</td>
</tr>
<tr>
<td>3.</td>
<td>4-6' FENCE</td>
<td>2,180</td>
<td>LF</td>
<td>$16.00</td>
<td>$34,880</td>
</tr>
<tr>
<td>4.</td>
<td>PEDESTRIAN ACCESS CROSSING</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$50,000.00</td>
<td>$50,000</td>
</tr>
<tr>
<td></td>
<td>CONSTRUCTION TOTAL =</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>122,376</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10% CONTINGENCY =</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>12,238</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL BIKE PATH =</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>134,614</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B.</td>
<td>FEES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>ENGINEERING (6% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$8,076.82</td>
<td>$8,077</td>
</tr>
<tr>
<td>2.</td>
<td>STAKING (3% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$4,038.41</td>
<td>$4,038</td>
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<tr>
<td>3.</td>
<td>CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$5,384.54</td>
<td>$5,385</td>
</tr>
<tr>
<td></td>
<td>TOTAL FEES =</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>17,500</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.</td>
<td>LAND ACQUISITION</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>RIGHT-OF-WAY DEDICATION (10' WIDE; ASSUME 2' JOINT USE OF EXISTING MID RIGHT-OF-WAY)</td>
<td>0.50</td>
<td>AC</td>
<td>$65,000.00</td>
<td>$32,500</td>
</tr>
<tr>
<td>2.</td>
<td>RIGHT-OF-WAY ADMINISTRATION</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$1,500.00</td>
<td>$1,500</td>
</tr>
<tr>
<td></td>
<td>TOTAL LAND ACQUISITION =</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>34,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>GRAND TOTAL =</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>186,113</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CFF PORTION =</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>43,613</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL CARVER BANGS CFD PORTION =</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>142,500</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CLASS 1 BIKE PATH / PEDESTRIAN ACCESS CROSSING OF M.I.D. NO. 6

M.I.D. R/W

4'-6' FENCE

CHANNEL

6' NEIGHBORHOOD FENCE

2' 8' 2'

BIKE TRAIL

12'

FIGURE 7

CARVER BANGS

FAX (209) 526-5803
SHEET

Scale

Date 7-28-98

Drawn J.R.M.
PELANDALE-SNYDER
(TAX AREA B)

DETAILED FACILITY COST ESTIMATES
PELANDALE / SNYDER SPECIFIC PLAN AREA (TAX AREA B)
COMMUNITY FACILITIES
DISTRICT FORMATION
COST SUMMARY

A. STORM DRAINAGE $4,389,042
B. DALE ROAD $531,075
C. PRESCOTT ROAD $628,287
D. TULLY ROAD $1,011,016
E. SNYDER AVENUE $564,283
F. CLASS I BIKE TRAIL $752,675
G. FORMATION COSTS $67,500

TOTAL CFD COSTS $7,043,538

NOTE:

1. THE ABOVE TOTAL COSTS DO NOT INCLUDE THE ANNUAL LANDSCAPE MAINTENANCE COSTS FOR THE PLAN AREA. THE ANNUAL LANDSCAPE MAINTENANCE AND ADMINISTRATION COSTS ARE ESTIMATED AT $852 PER NET ACRE.

2. FINAL BID QUANTITIES MAY INCLUDE MORE DETAILED LINE ITEMS WHICH SHALL BE ALL INCLUSIVE WITHIN LUMP SUM AMOUNTS OR QUANTITIES SHOWN IN THIS DOCUMENT.
PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 1998-2
(CARVER-BANGS/PELANDALE-SNYDER)
COUNTY OF STANISLAUS, STATE OF CALIFORNIA
PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 1998-2 (CARVER-BANGS/PELANDALE-SNYDER) COUNTY OF STANISLAUS, STATE OF CALIFORNIA
PELANDALE-SNYDER SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
STORM DRAIN TRUNK LINES
AND
PROPORTIONATE SHARE OF
STORM DRAIN BASIN AND APPURTENANCES
(REFERENCE FIGURE 1)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I.</td>
<td>STORM DRAIN TRUNK LINES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.</td>
<td>CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>36&quot; STORM</td>
<td>400 LF</td>
<td>$121.00</td>
<td>$48,400</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>42&quot; STORM</td>
<td>1,874 LF</td>
<td>$155.00</td>
<td>$290,470</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>48&quot; STORM</td>
<td>3,861 LF</td>
<td>$161.00</td>
<td>$589,421</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>54&quot; STORM</td>
<td>5,242 LF</td>
<td>$182.00</td>
<td>$954,044</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>PROPORTIONATE SHARE 54&quot; TO BASIN</td>
<td>108 LF</td>
<td>$182.00</td>
<td>$19,656</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>MANHOLES</td>
<td>29 EA</td>
<td>$5,750.00</td>
<td>$166,750</td>
<td></td>
</tr>
<tr>
<td>SUB-TOTAL STORM DRAIN TRUNK LINES</td>
<td>$2,068,741</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10% CONTINGENCY</td>
<td>$206,874</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL CONSTRUCTION - STORM DRAIN TRUNK LINES</td>
<td>$2,275,615</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

II. STORM DRAINAGE BASIN FACILITIES

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B.</td>
<td>CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>STORM DRAIN BASIN EXCAVATION</td>
<td>100,372 CY</td>
<td>$6.00</td>
<td>$602,232</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>STORM DRAIN PUMP STATION</td>
<td>LUMP SUM LS</td>
<td>$389,555.00</td>
<td>$389,555</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>STORM DRAIN PIPING (PLUS JACK &amp; BORE)</td>
<td>LUMP SUM LS</td>
<td>$21,057.00</td>
<td>$21,057</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>FENCING</td>
<td>2,890 LF</td>
<td>$16.00</td>
<td>$46,240</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>LANDSCAPING</td>
<td>13,170 SF</td>
<td>$2.80</td>
<td>$36,876</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>INLETS</td>
<td>LUMP SUM LS</td>
<td>$7,019.00</td>
<td>$7,019</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>CLEARING / DISCING / STRIPPING</td>
<td>LUMP SUM LS</td>
<td>$7,019.00</td>
<td>$7,019</td>
<td></td>
</tr>
<tr>
<td>SUB-TOTAL</td>
<td>$1,109,998</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10% CONTINGENCY</td>
<td>$111,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Preliminary Engineer's Estimate

October 23, 1998

### C. FEES

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>ENGINEERING</td>
<td>1</td>
<td>EST</td>
<td>$70,192.00</td>
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<tr>
<td>2.</td>
<td>STAKING</td>
<td>1</td>
<td>EST</td>
<td>$34,746.00</td>
<td>$34,746</td>
</tr>
<tr>
<td>3.</td>
<td>CONSTRUCTION MANAGEMENT</td>
<td>1</td>
<td>EST</td>
<td>$46,796.00</td>
<td>$46,796</td>
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<tr>
<td>4.</td>
<td>GEOTECHNICAL</td>
<td>1</td>
<td>EST</td>
<td>$12,635.00</td>
<td>$12,635</td>
</tr>
</tbody>
</table>

**TOTAL FEES** $164,369

### D. LAND ACQUISITION

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>LAND PURCHASE</td>
<td>70.39%</td>
<td>OF TOTAL COST</td>
<td>$1,030,239</td>
<td>$725,185</td>
</tr>
<tr>
<td>2.</td>
<td>ADMINISTRATION</td>
<td>LUMP SUM - LS</td>
<td>$2,875.00</td>
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**TOTAL LAND ACQUISITION** $728,060

**PELANDALE - SNYDER STORM DRAIN FACILITIES TOTAL** $4,389,042

### NOTES:

1. THE PELANDALE-SNYDER PROPORTIONATE SHARE OF THE STORM DRAIN BASIN AND APPURTEANCES WAS DERIVED FROM A PER GROSS ACRE SHARE. THE FOLLOWING REPRESENT THE FORMULA USED FOR CONSTRUCTION AND FEES:

   A. **GROSS ACREAGE SUMMARY**

   | PELANDALE / SNYDER | 357.46 |
   | CARVER / BANGS    | 161.80 |

   **TOTAL GROSS ACRES** 509.26

   B. **PELANDALE / SNYDER PROPORTIONATE SHARE**

   \[
   \frac{357.46}{509.26} = 0.7019 = 70.19\%
   \]

2. STORM DRAIN TRUNK LINE AND BASIN SIZING WERE TAKEN FROM THE PELANDALE-SNYDER A CARVER-BANGS STORM DRAINAGE SYSTEM PLANS DATED AUGUST 5, 1998 PREPARED BY MID VALLEY ENGINEERING, INC.

3. STORM DRAIN BASIN EXCAVATION INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING: PIPE D DRAINS, SPLASH PADS, LOW FLOW CHANNEL AND ROCK TRENCH, A.C. PAVING, DISPOSAL AREA GROUND PREPARATION, 6" A.C. BERMS, AND REMOVAL OF EXISTING IRRIGATION LINES.
BACKBONE STORM DRAIN SYSTEM

FIGURE 1

PELANDALE SNYDER
GEO FORMATION
PELANDALE-SNYDER SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
DALE ROAD (CENTER 20' C.L. TO C.L.)
AND EAST SIDE DALE ROAD FRONTAGE IMPROVEMENTS
SNYDER AVENUE TO PELANDALE AVENUE (1,350' C.L. TO C.L.)
(REFERENCE FIGURE 2)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I.</td>
<td>DALE ROAD CENTER 20 FEET</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.</td>
<td>CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>SAWCUT AND REMOVE EXISTING PAVEMENT</td>
<td>26,400</td>
<td>SF</td>
<td>$1.50</td>
<td>$39,600</td>
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<tr>
<td>2.</td>
<td>MEDIAN CURB</td>
<td>2,690</td>
<td>LF</td>
<td>$15.00</td>
<td>$40,350</td>
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<tr>
<td>3.</td>
<td>MEDIAN COVER</td>
<td>17,520</td>
<td>SF</td>
<td>$3.50</td>
<td>$61,320</td>
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<tr>
<td>4.</td>
<td>PAVEMENT (0.50' A.C. OVER 0.65' A.B., T.I. = 10;</td>
<td>5,280</td>
<td>SF</td>
<td>$2.00</td>
<td>$10,560</td>
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<tr>
<td></td>
<td>R.V. = 50)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>5.</td>
<td>STRIPING</td>
<td></td>
<td>LUMP SUM</td>
<td>LUMPSUM</td>
<td>$5,000.00</td>
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<tr>
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</tr>
<tr>
<td></td>
<td>CONSTRUCTION TOTAL ======&gt;</td>
<td></td>
<td></td>
<td></td>
<td>$156,830</td>
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<tr>
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<td>10% CONTINGENCY ======&gt;</td>
<td></td>
<td></td>
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<td>$15,683</td>
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<td></td>
<td>TOTAL DALE ROAD CONSTRUCTION ======&gt;</td>
<td></td>
<td></td>
<td></td>
<td>$172,513</td>
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<td></td>
</tr>
<tr>
<td>B.</td>
<td>FEES</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>ENGINEERING (6% OF CONSTRUCTION TOTAL)</td>
<td>1 EST</td>
<td></td>
<td>$10,350.78</td>
<td>$10,351</td>
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<tr>
<td>2.</td>
<td>STAKING (3% OF CONSTRUCTION TOTAL)</td>
<td>1 EST</td>
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<td>$5,175.39</td>
<td>$5,175</td>
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<td>3.</td>
<td>CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
<td>1 EST</td>
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<td>$6,900.52</td>
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<tr>
<td></td>
<td>TOTAL FEES ======&gt;</td>
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<td></td>
<td></td>
<td>$22,427</td>
</tr>
<tr>
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<td></td>
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</tr>
<tr>
<td></td>
<td>DALE ROAD CENTER 20 FEET GRAND TOTAL ======&gt;</td>
<td></td>
<td></td>
<td></td>
<td>$194,940</td>
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</table>
## Preliminary Engineer's Estimate
October 23, 1998

### II. EAST SIDE DALE ROAD FRONTAGE IMPROVEMENTS

#### A. CONSTRUCTION

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>CLEARING AND GRADING</td>
<td>30,492</td>
<td>SF</td>
<td>$0.60</td>
<td>$18,295</td>
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<tr>
<td>2.</td>
<td>PAVEMENT (0.50' A.C. OVER 0.65' A.B., T.I. = 10, R.V. = 50)</td>
<td>22,104</td>
<td>SF</td>
<td>$2.00</td>
<td>$44,208</td>
</tr>
<tr>
<td>3.</td>
<td>STORM DRAINAGE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a.</td>
<td>12&quot; STORM DRAIN</td>
<td>800</td>
<td>LF</td>
<td>$30.00</td>
<td>$24,000</td>
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<tr>
<td>b.</td>
<td>15&quot; STORM DRAIN</td>
<td>420</td>
<td>LF</td>
<td>$37.00</td>
<td>$15,540</td>
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<tr>
<td>c.</td>
<td>CATCH BASINS</td>
<td>2</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$2,000</td>
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<tr>
<td>d.</td>
<td>12&quot; CATCH BASIN RUNS</td>
<td>100</td>
<td>LF</td>
<td>$30.00</td>
<td>$3,000</td>
</tr>
<tr>
<td>e.</td>
<td>MANHOLES</td>
<td>2</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$4,000</td>
</tr>
<tr>
<td>4.</td>
<td>10' SIDEWALK WITH TREEWELL AND VINE BLOCKOUTS</td>
<td>12,300</td>
<td>SF</td>
<td>$3.00</td>
<td>$36,900</td>
</tr>
<tr>
<td>5.</td>
<td>6&quot; VERTICAL CURB AND GUTTER</td>
<td>1,230</td>
<td>LF</td>
<td>$9.00</td>
<td>$11,070</td>
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<tr>
<td>6.</td>
<td>RETURN AT PELANDALE AVENUE</td>
<td>1</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$1,000</td>
</tr>
<tr>
<td>7.</td>
<td>ELECTROLIERS</td>
<td>3</td>
<td>EA</td>
<td>$3,500.00</td>
<td>$10,500</td>
</tr>
<tr>
<td>8.</td>
<td>LANDSCAPING (12' WIDE STRIP)</td>
<td>14,760</td>
<td>SF</td>
<td>$2.80</td>
<td>$41,328</td>
</tr>
<tr>
<td>9.</td>
<td>SIGNAGE AND STRIPING (5% OF GRADING AND PAVEMENT COSTS)</td>
<td>1</td>
<td>EST</td>
<td>$3,125.16</td>
<td>$3,125</td>
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<tr>
<td>10.</td>
<td>TRAFFIC CONTROL</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$4,500.00</td>
<td>$4,500</td>
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<tr>
<td>11.</td>
<td>TRAFFIC SIGNAL INTERCONNECT</td>
<td>1,230</td>
<td>LF</td>
<td>$10.00</td>
<td>$12,300</td>
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<tr>
<td>12.</td>
<td>PRIMECOAT</td>
<td>22,104</td>
<td>SF</td>
<td>$0.02</td>
<td>$442</td>
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</tbody>
</table>

CONSTRUCTION TOTAL = $232,208

10% CONTINGENCY = $23,221

TOTAL DALE ROAD CONSTRUCTION = $255,429

#### B. FEES

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>ENGINEERING (6% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$15,325.76</td>
<td>$15,326</td>
</tr>
<tr>
<td>2.</td>
<td>STAKING (3% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$7,662.88</td>
<td>$7,663</td>
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<tr>
<td>3.</td>
<td>CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$10,217.17</td>
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</tbody>
</table>

TOTAL FEES = $33,206

#### C. LAND ACQUISITION

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>RIGHT-OF-WAY DEDICATION</td>
<td>0.70</td>
<td>AC</td>
<td>$65,000.00</td>
<td>$45,500</td>
</tr>
<tr>
<td>2.</td>
<td>RIGHT-OF-WAY ADMINISTRATION</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$2,000.00</td>
<td>$2,000</td>
</tr>
</tbody>
</table>

TOTAL LAND ACQUISITION = $47,500

DALE ROAD FRONTAGE GRAND TOTAL = $336,135

DALE ROAD GRAND TOTAL = $531,075

**NOTE:**

1. THE R-VALUE ASSUMPTIONS WERE DERIVED FROM SOILS REPORTS PREPARED BY KLEINFELDER, INC. FOR THE FOLLOWING SUBDIVISIONS: KENSINGTON PARK, TUSCANY, EASTPORT AND ALMOND VALLEY.
NOTE: MATCH EXISTING PAVEMENT PER CITY STANDARDS
SNYDER AVENUE TO PELANDALE AVENUE
PELANDALE-SNYDER SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
PRESCOTT ROAD
WEST SIDE FRONTAGE IMPROVEMENTS ADJACENT
TO STORM DRAIN BASIN
AND EAST SIDE FRONTAGE IMPROVEMENTS
PELANDALE AVENUE TO SNYDER AVENUE (1,316' C.L. TO C.L.)
(REFERENCE FIGURE 3)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. PRESCOTT ROAD WEST SIDE FRONTAGE IMPROVEMENTS (ADJACENT TO STORM DRAIN BASINS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. CLEARING AND GRADING</td>
<td>37,530</td>
<td>SF</td>
<td>$0.60</td>
<td>$22,518</td>
<td></td>
</tr>
<tr>
<td>2. PAVEMENT (0.50' A.C. OVER 0.65' A.B., T.I. = 10 R.V. = 50)</td>
<td>18,525</td>
<td>SF</td>
<td>$2.00</td>
<td>$37,050</td>
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<tr>
<td>3. 2&quot; A.C. OVERLAY (EXISTING INTERIM PRESCOTT)</td>
<td>17,100</td>
<td>SF</td>
<td>$0.60</td>
<td>$10,260</td>
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<tr>
<td>4. STORM DRAINAGE</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. CATCH BASINS</td>
<td>2</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$2,000</td>
<td></td>
</tr>
<tr>
<td>b. 12&quot; CATCH BASIN RUNS (50 L.F. PER C.B.)</td>
<td>100</td>
<td>LF</td>
<td>$30.00</td>
<td>$3,000</td>
<td></td>
</tr>
<tr>
<td>c. MANHOLES</td>
<td>1</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$2,000</td>
<td></td>
</tr>
<tr>
<td>5. 6&quot; VERTICAL CURB AND GUTTER</td>
<td>1,200</td>
<td>LF</td>
<td>$9.00</td>
<td>$10,800</td>
<td></td>
</tr>
<tr>
<td>6. 10' SIDEWALK</td>
<td>12,000</td>
<td>SF</td>
<td>$3.00</td>
<td>$36,000</td>
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</tr>
<tr>
<td>7. RETURNS</td>
<td>2</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$2,000</td>
<td></td>
</tr>
<tr>
<td>8. ELECTROLIERS</td>
<td>4</td>
<td>EA</td>
<td>$3,500.00</td>
<td>$14,000</td>
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</tr>
<tr>
<td>9. PRIMECOAT</td>
<td>18,525</td>
<td>SF</td>
<td>$0.02</td>
<td>$371</td>
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</tr>
</tbody>
</table>

CONSTRUCTION TOTAL =========> $139,999

10% CONTINGENCY =========> $14,000

TOTAL PREScott ROAD CONSTRUCTION =========> $153,998

B. FEES | | | | | |
| 1. ENGINEERING (6% OF CONSTRUCTION TOTAL) | 1 | EST | $9,239.90 | $9,240 |
| 2. STAKING (3% OF CONSTRUCTION TOTAL) | 1 | EST | $4,619.95 | $4,620 |
| 3. CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL) | 1 | EST | $6,159.93 | $6,160 |

TOTAL FEES =========> $20,020

C. LAND ACQUISITION | | | | | |
| 1. RIGHT-OF-WAY DEDICATION | 1.20 | AC | $65,000.00 | $78,000 |
| 2. RIGHT-OF-WAY ADMINISTRATION | LUMP SUM | LS | $2,000.00 | $2,000 |

TOTAL LAND ACQUISITION =========> $80,000

PRESCOTT ROAD WEST SIDE FRONTAGE TOTAL =========> $254,018
Community Facilities District
Preliminary Engineer’s Estimate
October 23, 1998

### II. PRESCOTT ROAD EAST SIDE FRONTAGE IMPROVEMENTS

#### A. CONSTRUCTION

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>CLEARING AND GRADING</td>
<td>37,530</td>
<td>SF</td>
<td>$0.60</td>
<td>$22,518</td>
</tr>
<tr>
<td>2.</td>
<td>PAVEMENT (0.50' A.C. OVER 0.65' A.B., T.I. = 10 R.V. = 50)</td>
<td>41,400</td>
<td>SF</td>
<td>$2.00</td>
<td>$82,800</td>
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<tr>
<td>3.</td>
<td>STORM DRAINAGE</td>
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</tr>
<tr>
<td>a.</td>
<td>CATCH BASINS</td>
<td>2</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$2,000</td>
</tr>
<tr>
<td>b.</td>
<td>12” CATCH BASIN RUNS</td>
<td>100</td>
<td>LF</td>
<td>$30.00</td>
<td>$3,000</td>
</tr>
<tr>
<td>c.</td>
<td>MANHOLES</td>
<td>1</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$2,000</td>
</tr>
<tr>
<td>4.</td>
<td>6” VERTICAL CURB AND GUTTER</td>
<td>1,200</td>
<td>LF</td>
<td>$9.00</td>
<td>$10,800</td>
</tr>
<tr>
<td>5.</td>
<td>10’ SIDEWALK WITH TREEWELL AND VINE BLOCKOUTS</td>
<td>12,000</td>
<td>SF</td>
<td>$3.00</td>
<td>$36,000</td>
</tr>
<tr>
<td>6.</td>
<td>RETURNS</td>
<td>4</td>
<td>EA</td>
<td>$800.00</td>
<td>$3,200</td>
</tr>
<tr>
<td>7.</td>
<td>ELECTROLIERS</td>
<td>3</td>
<td>EA</td>
<td>$3,500.00</td>
<td>$10,500</td>
</tr>
<tr>
<td>8.</td>
<td>LANDSCAPING (12’ WIDE STRIP)</td>
<td>14,400</td>
<td>SF</td>
<td>$2.80</td>
<td>$40,320</td>
</tr>
<tr>
<td>9.</td>
<td>SIGNAGE AND STRIPING (5% OF GRADING AND PAVEMENT COST)</td>
<td>1 EST</td>
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<td>$5,265.90</td>
<td>$5,266</td>
</tr>
<tr>
<td>10.</td>
<td>TRAFFIC CONTROL</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$2,500.00</td>
<td>$2,500</td>
</tr>
<tr>
<td>11.</td>
<td>TRAFFIC SIGNAL INTERCONNECT</td>
<td>1,200</td>
<td>LF</td>
<td>$10.00</td>
<td>$12,000</td>
</tr>
<tr>
<td>12.</td>
<td>PRIMECOAT</td>
<td>41,400</td>
<td>SF</td>
<td>$0.02</td>
<td>$828</td>
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**CONSTRUCTION TOTAL** = $233,732

10% CONTINGENCY = $23,373

**TOTAL PRESCOTT ROAD CONSTRUCTION** = $257,105

#### B. FEES

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>ENGINEERING (6% OF CONSTRUCTION TOTAL)</td>
<td>1 EST</td>
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<td>2.</td>
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<td>1 EST</td>
<td></td>
<td>$7,713.15</td>
<td>$7,713</td>
</tr>
<tr>
<td>3.</td>
<td>CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
<td>1 EST</td>
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<td>$10,284.20</td>
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</table>

**TOTAL FEES** = $33,424

#### C. LAND ACQUISITION

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>RIGHT-OF-WAY DEDICATION</td>
<td>1.25</td>
<td>AC</td>
<td>$65,000.00</td>
<td>$81,250</td>
</tr>
<tr>
<td>2.</td>
<td>RIGHT-OF-WAY ADMINISTRATION</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$2,500.00</td>
<td>$2,500</td>
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</tbody>
</table>

**TOTAL LAND ACQUISITION** = $83,750

**PRESCOTT ROAD EAST SIDE FRONTAGE TOTAL** = $374,279

**PRESCOTT ROAD GRAND TOTAL** = $628,297
NOTES:

1. THE ABOVE ESTIMATE ASSUMES THE PHASE 1A INTERIM PELANDALE AVENUE WILL BE CONSTRUCTED ON THE WEST SIDE OF PRESCOTT AND A PORTION OF THE IMPROVEMENTS (APPROXIMATELY 650 L.F. FROM THE SNYDER INTERSECTION) WILL BE REMOVED FOR THE ULTIMATE IMPROVEMENTS. THE REMAINING INTERIM SECTION IS ASSUMED TO REMAIN AND BE OVERLAYED WITH 2" A.C.

2. THE ABOVE ESTIMATE DOES NOT INCLUDE THE CENTER 20' PORTION OF PRESCOTT ROAD SINCE IT IS INCLUDED IN THE CFF PROGRAM.

3. THE ABOVE ESTIMATE DOES NOT INCLUDE THE MAINLINE STORM DRAIN IMPROVEMENTS SINCE THOSE COSTS ARE INCLUDED WITH THE STORM DRAIN COMPONENT OF THE CFD.

4. THE ABOVE ESTIMATE INCLUDES ALL NECESSARY CATCH BASINS. THIS CATCH BASIN ESTIMATE WAS TAKEN DIRECTLY FROM THE APPROVED "ALMOND VALLEY SUBDIVISION" IMPROVEMENT PLANS.

5. THE R-VALUE ASSUMPTIONS WERE DERIVED FROM SOILS REPORTS PREPARED BY KLEINFELDER, INC. FOR THE FOLLOWING SUBDIVISIONS: KENSINGTON PARK, TUSCANY, EASTPORT AND ALMOND VALLEY.
PELANDALE-SNYDER SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
TULLY ROAD FRONTAGE IMPROVEMENTS (BOTH SIDES)
FROM EXISTING
MODESTO IRRIGATION DISTRICT LATERAL NO. 6
TO PEALANDALE AVENUE (1,450' C.L. TO C.L.)
TULLY ROAD (CENTER 34 FEET) NOT FUNDED BY CFF
AND
TULLY / SNYDER TRAFFIC SIGNAL
(REFERENCE FIGURE 4)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
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</thead>
<tbody>
<tr>
<td>I.</td>
<td>TULLY ROAD FRONTAGE IMPROVEMENTS (BOTH SIDES, 114 FOOT RIGHT-OF-WAY)</td>
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<td></td>
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<td></td>
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<tr>
<td></td>
<td>CONSTRUCTION</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>1.</td>
<td>CLEARING AND GRADING</td>
<td>87,245</td>
<td>SF</td>
<td>$0.60</td>
<td>$52,347</td>
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<tr>
<td>2.</td>
<td>PAVEMENT (0.50' A.C. OVER 0.65' A.B., T.I. = 10, R.V. = 50)</td>
<td>81,410</td>
<td>SF</td>
<td>$2.00</td>
<td>$162,820</td>
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<tr>
<td>3.</td>
<td>STORM DRAINAGE</td>
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<tr>
<td>a.</td>
<td>CATCH BASINS</td>
<td>4</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$4,000</td>
</tr>
<tr>
<td>b.</td>
<td>12&quot; STORM DRAIN</td>
<td>600</td>
<td>LF</td>
<td>$30.00</td>
<td>$18,000</td>
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<tr>
<td>c.</td>
<td>12&quot; CATCH BASIN RUNS</td>
<td>200</td>
<td>LF</td>
<td>$30.00</td>
<td>$6,000</td>
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<tr>
<td>d.</td>
<td>MANHOLES</td>
<td>3</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$6,000</td>
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<tr>
<td>4.</td>
<td>6&quot; VERTICAL CURB AND GUTTER</td>
<td>2,432</td>
<td>LF</td>
<td>$9.00</td>
<td>$21,888</td>
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<tr>
<td>5.</td>
<td>10' SIDEWALK</td>
<td>24,320</td>
<td>SF</td>
<td>$3.00</td>
<td>$72,960</td>
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<tr>
<td>6.</td>
<td>REMOVE EXISTING CURB, GUTTER AND SIDEWALK ALONG EXISTING IMPROVEMENTS EAST SIDE OF TULLY ROAD</td>
<td>717</td>
<td>LF</td>
<td>$20.00</td>
<td>$14,340</td>
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<td>7.</td>
<td>CLEARING, GRADING AND DEMOLITION ALONG EXISTING IMPROVEMENTS EAST SIDE OF TULLY ROAD (LANDSCAPING, IRRIGATION, ETC.)</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$20,000.00</td>
<td>$20,000</td>
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<tr>
<td>8.</td>
<td>ELECTROLIERS</td>
<td>9</td>
<td>EA</td>
<td>$3,500.00</td>
<td>$31,500</td>
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<td>9.</td>
<td>SIGNAGE AND STRIPING (5% OF GRADING AND PAVEMENT COST)</td>
<td>1</td>
<td>EST</td>
<td>$10,758.35</td>
<td>$10,758</td>
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<tr>
<td>10.</td>
<td>TRAFFIC CONTROL</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$7,000.00</td>
<td>$7,000</td>
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<tr>
<td>11.</td>
<td>TRAFFIC SIGNAL INTERCONNECT (ONE SIDE ONLY)</td>
<td>1,400</td>
<td>LF</td>
<td>$10.00</td>
<td>$14,000</td>
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<tr>
<td>12.</td>
<td>RELOCATE OVERHEAD POWER LINES</td>
<td>4</td>
<td>EA</td>
<td>$7,000.00</td>
<td>$28,000</td>
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<tr>
<td>13.</td>
<td>LANDSCAPING (12' WIDE STRIP BOTH SIDES)</td>
<td>36,996</td>
<td>SF</td>
<td>$2.80</td>
<td>$103,589</td>
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<tr>
<td>14.</td>
<td>PRIMECOAT</td>
<td>81,410</td>
<td>SF</td>
<td>$0.02</td>
<td>$1,628</td>
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</tbody>
</table>

CONSTRUCTION TOTAL = $574,830
15% CONTINGENCY = $86,225
TOTAL CONSTRUCTION FOR TULLY ROAD FRONTAGE = $661,055
# Preliminary Engineer's Estimate

**Pelandale-Snyder Specific Facilities**  
Community Facilities District  
**Preliminary Engineer's Estimate**  
October 23, 1998

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>B. FEES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>ENGINEERING (6% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$39,663.29</td>
<td>$39,663</td>
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<td>2.</td>
<td>STAKING (3% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$19,831.65</td>
<td>$19,832</td>
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<td>3.</td>
<td>CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$26,442.20</td>
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<tr>
<td><strong>TOTAL FEES</strong></td>
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<td></td>
<td></td>
<td></td>
<td>$85,937</td>
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</table>

| **C. LAND ACQUISITION** | | | | | |
| 1. | RIGHT-OF-WAY DEDICATION | 0.776 | AC | $65,000.00 | $50,440 |
| 2. | RIGHT-OF-WAY ADMINISTRATION | LUMP SUM | LS | $2,000.00 | $2,000 |
| **TOTAL LAND ACQUISITION** | | | | | $52,440 |

**TOTAL TULLY ROAD FRON'TAGE**  
$799,432

**II. TULLY ROAD (CENTER 34 FEET) NOT FUNDED BY CFF**

| A. CONSTRUCTION | | | | | |
| 1. | SAWCUT AND REMOVE EXISTING PAVEMENT | 27,360 | SF | $1.50 | $41,040 |
| 2. | MEDIAN CURB | 3,090 | LF | $15.00 | $46,350 |
| 3. | MEDIAN LANDSCAPING | 23,120 | SF | $3.50 | $80,920 |
| 4. | PAVEMENT (0.50' A.C. OVER 0.65' A.B.; T.I. = 10, R.V. = 50) | 27,360 | SF | $2.00 | $54,720 |
| 5. | STRIPING | LUMP SUM | LS | $6,000.00 | $6,000 |
| **CONSTRUCTION TOTAL** | | | | | $229,030 |
| **10% CONTINGENCY** | | | | | $22,903 |
| **TOTAL CONSTRUCTION FOR TULLY ROAD CENTER 34' FEET** | | | | | $251,933 |

| B. FEES | | | | | |
| 1. | ENGINEERING (6% OF CONSTRUCTION TOTAL) | 1 | EST | $15,115.98 | $15,115 |
| 2. | STAKING (3% OF CONSTRUCTION TOTAL) | 1 | EST | $7,557.89 | $7,558 |
| 3. | CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL) | 1 | EST | $10,077.32 | $10,077 |
| **TOTAL FEES** | | | | | $32,751 |
| **TOTAL TULLY ROAD CENTER 34 FEET** | | | | | $284,684 |
| **TOTAL AMOUNT FUNDED BY CFF** | | | | | $220,000 |
| **TOTAL TULLY ROAD (CENTER 34 FEET) FUNDED BY PELANDALE-SNYDER CFD** | | | | | $64,684 |

**III. TRAFFIC SIGNAL AT TULLY ROAD AND SNYDER AVENUE**

| A. CONSTRUCTION | | | | | |
| 1. | TRAFFIC SIGNAL | LUMP SUM | LS | $130,000.00 | $130,000 |
**Community Facilities District**  
**Preliminary Engineer's Estimate**  
**October 23, 1998**

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. FEES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>ENGINEERING (6% OF CONSTRUCTION TOTAL)</td>
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<td>EST</td>
<td>$7,800.00</td>
<td>$7,800</td>
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<td>2.</td>
<td>STAKING (3% OF CONSTRUCTION TOTAL)</td>
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<td>EST</td>
<td>$3,900.00</td>
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<td>3.</td>
<td>CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
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<td>EST</td>
<td>$5,200.00</td>
<td>$5,200</td>
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<tr>
<td></td>
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<td></td>
<td></td>
<td>[ TOTAL FEES ]</td>
<td>[ $16,900 ]</td>
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<td></td>
<td>TOTAL TRAFFIC SIGNAL TULLY AND SNYDER</td>
<td>[ $146,900 ]</td>
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<td></td>
<td>TULLY ROAD GRAND TOTAL</td>
<td>[ $1,011,016 ]</td>
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</table>

**NOTES:**

1. **THIS ESTIMATE ITEM II IS FOR THE ENTIRE COST OF THE CENTER 34 FEET OF TULLY ROAD IMPROVEMENTS.** The center 34 feet of improvements on Tulliy Road are funded by the CFF Program, however, the funds are not available for the entire project so a portion of the project not funded by CFF will be funded by the Pelandale-Snyder CFD.

2. **THIS ESTIMATE IS BASED ON THE ASSUMPTION THAT THE CENTER 28 +/- FEET OF EXISTING PAVEMENT WILL REMAIN AND ADJACENT DEVELOPMENT WILL BE REQUIRED TO MATCH EXISTING PAVEMENT.**

3. **THE ABOVE COST ESTIMATE INCLUDES THE COST FOR IMPROVEMENTS FROM THE NORTH SIDE OF THE MODESTO IRRIGATION DISTRICT LATERAL TO PELANDALE AVENUE.**

4. **THE TULLY ROAD IMPROVEMENTS INCLUDE A COST TO REMOVE AND REPLACE THE EXISTING IMPROVEMENTS ALONG THE BIG VALLEY GRACE COMMUNITY CHURCH FRONTAGE (50' EXISTING TO 57' CITY STANDARD) TO BRING THE CROSS SECTION TO CITY STANDARD.** However, specific deceleration or acceleration lanes which are site specific improvements are not included in the estimate.

5. **THE RIGHT-OF-WAY COSTS ARE THE REQUIRED DEDICATIONS FOR RIGHT-OF-WAY BEYOND THE ALREADY EXISTING DEDICATIONS.**

6. **THE R-VALUE ASSUMPTIONS WERE DERIVED FROM SOILS REPORTS PREPARED BY KLEINFELDER, INC. FOR THE FOLLOWING SUBDIVISIONS: KENSINGTON PARK, TUSCANY, EASTPORT AND ALMOND VALLEY.**
NOTE: MATCH EXISTING PAVEMENT PER CITY STANDARDS

PROPOSED SYNDER AVENUE TO PELANDALE AVENUE

NOTE: MATCH EXISTING PAVEMENT PER CITY STANDARDS
M.I.D. LATERAL NO. 6 TO PROPOSED SYNDER AVENUE

FIGURE 4

PELANDALE SYNDER CFD FORMATION
PELANDALE-SNYDER SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER’S ESTIMATE
FOR
Snyder Avenue
North Side Adjacent to Storm Drain Basin,
West of Prescott Road (352’), South Side
Adjacent to Bike Trail From
Prescott Road to Carver Road (2,639’ C.L. To C.L.)
(REFERENCE FIGURES 5, 5A, 5B, AND 5C)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>Snyder Avenue Adjacent to Storm Drain Basin</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.</td>
<td>Construction</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Clearing and Grading</td>
<td>4,960</td>
<td>SF</td>
<td>$0.35</td>
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<tr>
<td>2.</td>
<td>Pavement (0.4’ A.C. Over 0.55’ A.B., T.I. = 8 R.V. = 48)</td>
<td>4,085</td>
<td>SF</td>
<td>$2.00</td>
<td>$8,170</td>
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<tr>
<td>3.</td>
<td>6’ Vertical Curb and Gutter</td>
<td>352</td>
<td>LF</td>
<td>$9.00</td>
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<tr>
<td>4.</td>
<td>5’ Sidewalk</td>
<td>1,760</td>
<td>SF</td>
<td>$3.00</td>
<td>$5,280</td>
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<tr>
<td>5.</td>
<td>Storm Drainage</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>a.</td>
<td>12” Storm Drain</td>
<td>265</td>
<td>LF</td>
<td>$30.00</td>
<td>$7,950</td>
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<tr>
<td>b.</td>
<td>Catch Basin</td>
<td>1</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$1,000</td>
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<tr>
<td>c.</td>
<td>Storm Manhole</td>
<td>1</td>
<td>EA</td>
<td>$2,500.00</td>
<td>$2,500</td>
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<tr>
<td>6.</td>
<td>Signing / Striping (5% of Grading and Pavement Cost)</td>
<td>1</td>
<td>EST</td>
<td>$495.30</td>
<td>$495</td>
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<tr>
<td>7.</td>
<td>Traffic Control</td>
<td>LUMP SUM</td>
<td>LS</td>
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<td>Irrigation Removal</td>
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<td>CONSTRUCTION TOTAL</td>
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<td>10% CONTINGENCY</td>
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<td>TOTAL SNYDER AVENUE ADJACENT TO STORM DRAIN BASIN CONSTRUCTION</td>
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<tr>
<td>B.</td>
<td>Fees</td>
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<tr>
<td>1.</td>
<td>Engineering (6% of Construction Total)</td>
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<td>3.</td>
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<td>TOTAL FEES</td>
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<tr>
<td>C.</td>
<td>Land Acquisition</td>
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<tr>
<td>1.</td>
<td>Right-Of-Way Dedication</td>
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<td>Right-Of-Way Administration</td>
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<td></td>
<td></td>
<td></td>
<td>TOTAL LAND ACQUISITION</td>
<td>$9,910</td>
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</tbody>
</table>

Snyder Avenue Adjacent to the Storm Drain Basin Total | $52,743
II. SNYDER AVENUE SOUTH SIDE ADJACENT TO BIKE TRAIL

A. CONSTRUCTION

1. CLEARING AND GRADING
   QUAN.: 51,575 SF
   UNIT: SF
   COST: $0.35
   AMOUNT: $18,051

2. PAVEMENT (0.40' A.C. OVER 0.55' A.B.; T.I. = 8, R.V. = 48)
   QUAN.: 47,020 SF
   UNIT: SF
   COST: $2.00
   AMOUNT: $94,040

3. PAVEMENT REMOVAL
   QUAN.: 59,730 SF
   UNIT: SF
   COST: $1.50
   AMOUNT: $89,595

4. 6" VERTICAL CURB AND GUTTER
   QUAN.: 2,538 LF
   UNIT: LF
   COST: $9.00
   AMOUNT: $22,842

5. STORM DRAINAGE
   a. 12" CATCH BASIN RUNS (50 L.F. PER C.B.)
      QUAN.: 250 LF
      UNIT: LF
      COST: $30.00
      AMOUNT: $7,500
   b. CATCH BASINS
      QUAN.: 5 EA
      UNIT: EA
      COST: $1,000.00
      AMOUNT: $5,000
   c. STORM MANHOLE
      QUAN.: 5 EA
      UNIT: EA
      COST: $2,500.00
      AMOUNT: $12,500

6. ELECTROLIERS (660' INTERVALS)
   QUAN.: 4 EA
   UNIT: EA
   COST: $3,500.00
   AMOUNT: $14,000

7. SIGNING / STRIPING
   (5% OF GRADING AND PAVEMENT COST)
   QUAN.: LUMP SUM
   UNIT: LS
   COST: $5,604.56
   AMOUNT: $5,605

8. TRAFFIC CONTROL
   QUAN.: LUMP SUM
   UNIT: LS
   COST: $5,000.00
   AMOUNT: $5,000

9. ABANDON EXISTING PUMP STATION NO. 47
   QUAN.: LUMP SUM
   UNIT: LS
   COST: $4,500.00
   AMOUNT: $4,500

CONSTRUCTION TOTAL: $278,633

10% CONTINGENCY: $27,863

TOTAL CONSTRUCTION: $306,496

B. FEES

1. ENGINEERING (6% OF CONSTRUCTION TOTAL)
   QUAN.: 1 EST
   UNIT: EST
   COST: $18,399.77
   AMOUNT: $18,390

2. STAKING (3% OF CONSTRUCTION TOTAL)
   QUAN.: 1 EST
   UNIT: EST
   COST: $9,194.88
   AMOUNT: $9,195

3. CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)
   QUAN.: 1 EST
   UNIT: EST
   COST: $12,259.84
   AMOUNT: $12,260

TOTAL FEES: $39,844

C. LAND ACQUISITION

1. RIGHT-OF-WAY DEDICATION
   QUAN.: 1.58 AC
   UNIT: AC
   COST: $65,000.00
   AMOUNT: $102,700

2. RIGHT-OF-WAY ADMINISTRATION
   QUAN.: LUMP SUM
   UNIT: LS
   COST: $2,500.00
   AMOUNT: $2,500

TOTAL LAND ACQUISITION: $105,200

SNYDER AVENUE ADJACENT TO THE BIKE TRAIL TOTAL: $451,541

SNYDER AVENUE GRAND TOTAL: $504,283
NOTES:

A. SNYDER AVENUE ADJACENT TO STORM DRAIN BASIN

1. THE SNYDER AVENUE IMPROVEMENTS ADJACENT TO THE STORM DRAINAGE BASIN, INCLUDE THE COST FOR IMPROVEMENT FROM THE WEST SIDE OF THE PROPOSED BASIN PROPERTY TO THE RETURN AT PRESCOTT ROAD.

2. THE RIGHT-OF-WAY COSTS IS THE AREA OF DEDICATION REQUIRED ASSUMING AN EXISTING 20 FOOT DEDICATION ON THE NORTH SIDE OF SNYDER AVENUE.

B. SNYDER AVENUE SOUTH SIDE ADJACENT TO BIKE TRAIL

1. THE SNYDER AVENUE IMPROVEMENTS INCLUDE THE COSTS FOR ROADWAY IMPROVEMENTS (EXCLUDING BIKE TRAIL) SOUTH OF THE CENTERLINE (20') FROM PRESCOTT ROAD TO CARVER ROAD.

2. THE RIGHT-OF-WAY AREA TO BE INCLUDED WITHIN THIS CFD ALONG SNYDER AVENUE BETWEEN PRESCOTT ROAD AND CARVER ROAD IS AS FOLLOWS:

A. VARYING RIGHT-OF-WAY WIDTH FROM 1.8 +/- FEET TO 12.5 +/- FEET FROM THE PROPOSED NEW SNYDER AVENUE CENTERLINE TO THE EXISTING SNYDER AVENUE DEDICATION.

B. 20' WIDTH RIGHT-OF-WAY FROM PROPOSED NEW SNYDER CENTERLINE NORTH. ADJACENT DEVELOPMENT WOULD BE RESPONSIBLE FOR A 10 FOOT WIDTH RIGHT-OF-WAY DEDICATION ALONG THE NORTH SIDE OF SNYDER AVENUE.

3. NO "MAINLINE" STORM DRAIN IMPROVEMENTS ARE INCLUDED SINCE THOSE COSTS ARE INCLUDED WITHIN THE STORM DRAIN COMPONENT OF THE C.F.D.

4. NO COSTS ARE INCLUDED IN THIS ESTIMATE FOR THE CLASS I BIKE TRAIL ADJACENT TO SNYDER AVENUE.

5. THE PAVEMENT REMOVAL QUANTITIES INCLUDES THE COST TO REMOVE THE ENTIRE EXISTING PAVEMENT SECTION FROM PRESCOTT ROAD TO CARVER ROAD.

6. THIS ESTIMATE INCLUDES A COST TO ABANDON EXISTING STORM DRAIN PUMP STATION NO. 47 ASSUMING CONNECTION TO THE POSITIVE STORM DRAIN SYSTEM.

7. NO COST FOR EXISTING POWER POLE RELOCATION IS INCLUDED IN COSTS.

8. THE R-VALUE ASSUMPTIONS WERE DERIVED FROM SOILS REPORTS PREPARED BY KLEINFELDER, INC. FOR THE FOLLOWING SUBDIVISIONS: KENSINGTON PARK, TUSCANY, EASTPORT AND ALMOND VALLEY.
SNYDER AVENUE

SNYDER AVENUE ADJACENT TO STORM DRAIN BASIN (SEC. A)
NOTES: 1) WATCH EXISTING ALIGNMENT PER CITY STANDARDS

CARVER ROAD TO PRESCOTT ROAD (SEC. B)
NOTES:
1. REFER TO FIGURE 5A FOR A DETAILED CROSS SECTION OF THE
   PROPOSED NEW SNYDER ALIGNMENT
2. REFER TO FIGURE 5B FOR RIGHT-OF-WAY TAKE SUMMARY
3. REFER TO FIGURE 5C FOR PRESCOTT SNYDER INTERSECTION DETAIL

FIGURE 5
PELANDALE SNYDER

Drawn J.R.M.
Date 9-13-98
Scale
Job No. 70-337
PELANDALE-SNYDER SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
BIKE TRAIL SYSTEM
(REFERENCE FIGURE 6)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. DESIGN PARAMETERS</td>
<td>INSTALL 18' BIKE TRAIL SYSTEM (8' PATH, 10' LANDSCAPING, AND 4'-6' FENCE) ALONG SNYDER AVENUE FROM PRESCOTT ROAD TO CARVER ROAD.</td>
<td>1.567 MILES</td>
<td>$105,600.00</td>
<td>$165,475</td>
<td></td>
</tr>
<tr>
<td></td>
<td>INSTALL 25' BIKE TRAIL SYSTEM (8' PATH, 17' LANDSCAPING, AND 4'-6' FENCE) ALONG MODESTO IRRIGATION DISTRICT LATERAL NO. 6 FROM CARVER ROAD TO THE UNION PACIFIC RAILROAD.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL LENGTH 8276 L.F. OR 1.567 MILES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>II. CLASS I BIKE TRAIL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. CONSTRUCTION</td>
<td>8' BIKE PATH WITH 2' GRAVEL SHOULDER (8,276 L.F. x 8')</td>
<td>66,208</td>
<td>SF</td>
<td>$2.00</td>
<td>$132,416</td>
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<tr>
<td></td>
<td>4'-6' FENCE</td>
<td>8,276</td>
<td>LF</td>
<td>$16.00</td>
<td>$132,416</td>
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<tr>
<td></td>
<td>LANDSCAPING (6' AREA FROM PRESCOTT TO CARVER (2,770 L.F.); 13' AREA FROM CARVER TO UNION PACIFIC RAILROAD (5,506 L.F.)</td>
<td>88,198</td>
<td>SF</td>
<td>$2.80</td>
<td>$246,954</td>
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<td>CONSTRUCTION TOTAL ======&gt;</td>
<td></td>
<td></td>
<td></td>
<td>$511,786</td>
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<td></td>
<td>10% CONTINGENCY ======&gt;</td>
<td></td>
<td></td>
<td></td>
<td>$51,179</td>
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<tr>
<td></td>
<td>TOTAL BIKE PATH ======&gt;</td>
<td></td>
<td></td>
<td></td>
<td>$562,965</td>
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<tr>
<td>B. FEES</td>
<td>ENGINEERING (6% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$33,777.90</td>
<td>$33,778</td>
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<td>STAKING (3% OF CONSTRUCTION TOTAL)</td>
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<td>EST</td>
<td>$16,888.95</td>
<td>$16,889</td>
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<td>CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
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<td>EST</td>
<td>$22,518.60</td>
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<td></td>
<td>TOTAL FEES ======&gt;</td>
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<td>$73,185</td>
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### Community Facilities District
### Preliminary Engineer's Estimate
### October 23, 1998

<table>
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</thead>
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<td><strong>C. LAND ACQUISITION</strong></td>
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<td>1.</td>
<td>RIGHT-OF-WAY DEDICATION</td>
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<td>2.</td>
<td>RIGHT-OF-WAY ADMINISTRATION</td>
<td>LUMP SUM</td>
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<td><strong>TOTAL LAND ACQUISITION</strong></td>
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<td><strong>CFF PORTION TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$165,475</strong></td>
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<td></td>
<td><strong>TOTAL PELANDALE-SNYDER CFD PORTION</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$752,675</strong></td>
</tr>
</tbody>
</table>

**NOTES:**

1. THE RIGHT-OF-WAY AREA TO BE INCLUDED WITHIN THIS CFD ALONG SNYDER AVENUE BETWEEN PRESCOTT ROAD AND CARVER ROAD IS AS FOLLOWS:

   A. VARYING RIGHT-OF-WAY WIDTH FROM 1.8+/- FEET TO 12.5+/- FEET FROM THE PROPOSED NEW SNYDER AVENUE CENTERLINE TO THE EXISTING SNYDER AVENUE DEDICATION.

   B. 20' WIDTH RIGHT-OF-WAY FROM PROPOSED NEW SNYDER CENTERLINE NORTH. ADJACENT DEVELOPMENT WOULD BE RESPONSIBLE FOR A 10 FOOT WIDTH RIGHT-OF-WAY DEDICATION ALONG THE NORTH SIDE OF SNYDER AVENUE.

2. THIS ESTIMATE DOES NOT INCLUDE ANY COSTS ASSOCIATED WITH THE SNYDER AVENUE ROAD IMPROVEMENTS.
BIKE TRAIL

BIKE TRAIL ALONG SNYDER AVENUE

NOTE: SEE SNYDER AVENUE CROSS-SECTIONS FIGURE 5A FOR RIGHT-OF-WAY AND STREET IMPROVEMENTS INCLUDED WITHIN THIS CFD.

LEGEND

- BIKE TRAIL ALONG SNYDER AVENUE
- BIKE TRAIL ALONG M.I.D. LATERAL

BIKE TRAIL ALONG M.I.D. LATERAL

FIGURE 6

PELANDALE SNYDER
A RESOLUTION CERTIFYING AN ADDENDUM TO THE PELANDALE-SNYDER PROGRAM ENVIRONMENTAL IMPACT REPORT (SCH NO. 93042004) FOR ANNEXATION #2 TO COMMUNITY FACILITIES DISTRICT NO. 1998-2 (CARVER-BANGS/PELANDALE-SNYDER)

WHEREAS, on January 16, 1996, the Modesto City Council has adopted Resolution No. 96-22 certifying that the Final Pelandale-Snyder Specific Plan Area Environmental Impact Report ("EIR") (State Clearinghouse No. 93042004) was complete and adequate pursuant to Section 15090 of the California Environmental Quality Act ("CEQA") Guidelines, and

WHEREAS, the City Council is proposing to annex 19.37 acres located at the southwest corner of Snyder avenue and Tully Road ("Property") to the Carver-Bangs/Pelandale-Snyder CFD No. 1998-2 ("CB-PS CFD") as a condition of developing a residential subdivision consisting of 81 single family lots, and

WHEREAS, the EIR contemplated that the Property could develop with approximately 67 single family lots and 174 multi-family residences, and

WHEREAS, Section 15164 of the CEQA Guidelines provides that a lead agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred, and

WHEREAS, the City’s consultant, Impact Sciences, prepared an Initial Study/Addendum (Environmental Assessment No. EA/CM 2003-1) which reviewed the proposed Annexation #2 to the CB-PS CFD and concluded that some minor changes or additions to the EIR were necessary as a result of the changes in the proposed development of the Property and none of the conditions described in section 15162 of the
WHEREAS, said matter was considered by the City Council at a duly noticed public hearing which was held on Tuesday, April 8, 2003 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 Environmental Assessment No. EA/CDD 2003-01, entitled “City of Modesto Initial Study/Addendum to the 1996 Program EIR for the Pelandale Snyder Specific Plan (SCH No. 93042004),” for the proposed project, and the Council hereby makes the following findings:

A. The environmental checklist completed for the project found that a Subsequent EIR is not required because the environmental effects of Annexation No. 2 to the Carver-Bangs/Pelandale Snyder CFD No. 1998-2 were addressed by the Pelandale-Snyder Specific Plan EIR (SCH No. 93042004).

B. There are no substantial changes proposed in the project that will require major revisions of the Pelandale-Snyder Specific Plan Area EIR (SCH No. 93042004).

C. There are no substantial changes occurring with respect to the circumstances under which the project is being undertaken which will require major revisions in the Pelandale-Snyder Specific Plan Area EIR.

D. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Pelandale-Snyder Specific Plan Area EIR was certified, that has become available, and shows the project would have new or increased significant impacts.

E. There is no new information of substantial importance, which was not known or could not have been known with the exercise of reasonable diligence at the time the Pelandale-Snyder Specific Plan EIR was certified, that has become available and shows that previously infeasible mitigation measures or alternatives are now feasible, or that new, different or additional mitigation measures or alternatives are required.

F. The Initial Study/Addendum prepared by Impact Sciences provides substantial evidence to support findings A, B, C, D and E above.
A copy of said Environmental Assessment No. EA/CDD 2003-01, entitled “City of Modesto Initial Study/Addendum to the 1996 Program EIR for the Pelandale Snyder Specific Plan (SCH No. 93042004),” is attached hereto as Exhibit “A”, and incorporated herein by reference.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 2003, by Councilmember Fisher, who moved its adoption, which motion being duly seconded by Councilmember Frohman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, Keating, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: None

Attest: 

JEAN ZAHR, City Clerk

APPROVED AS TO FORM:

By: 

MICHAEL D. MILICH, City Attorney
CITY OF MODESTO
INITIAL STUDY/ADDENDUM TO THE 1996 PROGRAM EIR

FOR THE PELANDALE SNYDER SPECIFIC PLAN (SCH # 93042004)

EA/CM No. 2003-01

1. Project Title

Annexation No. 2 to Carver-Bangs/Pelandale Snyder CFD No. 1998-2

2. Lead Agency

City of Modesto, Community Facilities District
PO Box 642
Modesto, CA 95353
ATTN: Tina Rocha
(209) 577-5321

3. Project Sponsor

City of Modesto, Community Facilities District
PO Box 642
Modesto, CA 95353

4. Preparers of the Addendum

Impact Sciences
One Kaiser Plaza, Suite 1520
Oakland, CA 94612
Attn: Kerrie Nicholson
(510) 267-0494 ext. 22

5. Project Location

The proposed project site is located in the City of Modesto, at the southwest corner of Snyder Avenue and Tully Road.
6. **General Plan Designations**

The Modesto General Plan has designated the project site as Village Residential.

7. **Zoning**

The project site is located in a Specific Plan-Overlay (SP-O) Zone; the underlying zoning is R-1 Low Density Residential and R-3 Medium High Density Residential.

8. **Applicable Planning Programs**

**City of Modesto Urban Area General Plan**

The project site is located within the north central portion of the City's General Plan Boundary in the Planned Urbanizing Area.

**Pelandale/Snyder Specific Plan (PSSP)**

The project site is located in the PSSP area, within the City limits. The 408-acre area is bounded by Dale Road on the west, the extension of Pelandale Avenue on the north, the Union Pacific Railroad on the east, and the Modesto Irrigation District (MID) Canal and Snyder Avenue on the south.

9. **Existing On-site Land Uses**

The project site is predominately used as an almond orchard. One single-family home is located at the southeastern corner of the site.

10. **Nearby Land Uses**

The project site is bounded by Snyder Avenue to the north, Tully Road to the east, MID Lateral No. 6 (canal) to the south, and a single-family residential development to the west. Land uses in proximity to the site include single-family residential to the north and west, commercial and single-family residential to the east, and multi-family residential to the south.

11. **Description of the Project**

The proposed project includes annexation of the 19.37-acre site (APN 46-07-08) to the Community Facilities District (CFD) 1998-2. Annexation of the property into the CFD would provide a funding and reimbursement mechanism for public facilities and
services required to serve development within the Carver Bangs/Pelandale Snyder Specific Plan area, including the project site. A summary of the Capital Improvement Projects (CIP) in the Carver Bangs/Pelandale Snyder Specific Plan area is provided below.

CIP Projects

- Storm drainage basins and pump station on Prescott between Pelandale and Snyder;
- Prescott Road Improvements from Bangs to Snyder;
- Landscaping along the east side of Dale between Pelandale and Snyder;
- Snyder Avenue between Prescott and Carver;
- Tully Road frontage improvements from Pelandale to MID Lat. #6;
- Tully Road (center 34 feet) between MID Lat. #6 to Pelandale;
- Traffic signal at Tully and Snyder;
- Bangs Avenue - American to Carver
- MID canal crossing at the intersection of American and Bangs;
- American Avenue from Pelandale to Bangs;
- Bike trail and pedestrian crossing of MID Lat. #6; and
- Bike trail system.

(Please note: Future development of the site, in compliance with the PSSP, could potentially include clearing the site of the existing almond orchard to allow for approximately 67 single-family units and 174 multi-family units. However, the Application for Annexation to a CFD filed with the City indicates that the property owners intend to subdivide 16.32 acres of the site into 81 single-family lots. The existing single-family home would remain on its 3.05-acre site. In addition, the property owners have filed a separate application with the Modesto Community & Economic Development Department for subdivision and development of the project site. The City of Modesto prepared an Initial Study for the Covington Pointe Vesting Tentative Subdivision Map project on November 25, 2002 to address the potential impacts related to development of the site. The project applicant(s) has been granted a development entitlement for development of the site.)
Purpose

On January 16, 1996, the Modesto City Council certified the Final EIR for the PSSP. The Final EIR analyzed the impacts of build-out of the PSSP, which includes the area in which this project is proposed. Section 15164 of the CEQA Guidelines states that an addendum to a previously certified EIR can be prepared if none of the following conditions, as described in Section 15162, have occurred:

A. Substantial changes are proposed in the project that will require major revisions to the 1995 PSSP EIR (due to the involvement of new significant environmental impacts or substantial increases in the severity of previously identified significant impacts);

B. Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the 1995 PSSP EIR (due to the involvement of new or increased significant impacts); or

C. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the 1995 PSSP EIR, has become available, and shows that the project would have new or increased significant impacts.
1. AGRICULTURAL RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The 1995 PSSP EIR addresses impacts to agricultural lands on pages 37 through 41 of the EIR and identifies the project site and surrounding areas as Prime Farmland. The EIR concludes that the conversion of this farmland to urban uses would constitute a significant unavoidable impact. The City subsequently made the required findings under Section 21081 of the CEQA Guidelines and adopted a Statement of Overriding Considerations for this impact. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to conversion of agriculture associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

The 1995 PSSP EIR identifies the project site as a residential land use. The project site is not under Williamson Act contract. No further discussion is necessary.

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

The property immediately surrounding the project site is already developed. No further discussion is needed.

---

1 Rocha, Tina, City of Modesto Community Facilities District, March 13, 2003.
### AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. *Would the project:*

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Less Than Significant Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>

| a) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☐ | ☒ |

The 1995 PSSP EIR addresses impacts to air quality on pages 110 through 126 of the EIR and concludes that short-term construction impacts would be less than significant. Also, the 1995 PSSP EIR concludes that buildout of the PSSP would result in significant air quality impacts related to long-term regional emissions, residential wood burning emissions, and microscale projections. All of these impacts could be mitigated to a less-than-significant level. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to conflicts with or obstruct implementation of the applicable air quality plan associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | ☐ | ☐ | ☐ | ☒ |

See response to 2a.

| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | ☐ | ☐ | ☐ | ☒ |

The 1995 PSSP EIR concludes that cumulative air quality impacts would be less than significant. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to cumulative air quality associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

| d) Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☐ | ☐ | ☒ |

See response to 2a.

| e) Create objectionable odors affecting a substantial number of people? | ☐ | ☐ | ☐ | ☒ |

The proposed project is a financing mechanism to fund off-site infrastructure projects, the impacts of which have already been addressed in the Facilities Master Plan EIR. Annexation of the project site would not create objectionable odors affecting a substantial number of people. No further discussion is necessary.
3. BIOLOGICAL RESOURCES - Would the project:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Significant with Mitigation Incorporated</th>
<th>More Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Impacts to biological resources are addressed on pages 127 through 129 of the 1995 PSSP EIR. The EIR concludes that impacts would be less than significant. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to having a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to having a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No wetlands are located on the project site. No further discussion is necessary.

d) Interfere substantially 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?

The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR.
Thus, impacts related to a substantial interference 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 associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to conflicts with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No current habitat conservation plans or natural community conservation plans apply to the PSSP. No further discussion is necessary.

4. CULTURAL RESOURCES - Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

The 1995 PSSP EIR addresses impacts to cultural resources on page 130 of the EIR and concludes that buildout of the PSSP may potentially result in the destruction of unknown subsurface archeological resource and prescribes mitigation to reduce the impact to a less-than-significant level. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to cultural resources associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

See response to 4a.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The PSSP area does not contain any paleontological resources or unique geologic features.
d) Disturb any human remains, including those interred outside of formal cemeteries?  

See response to 4a.

---

5. GEOLOGICAL PROBLEMS - Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

The 1995 PSSP EIR addresses impacts related to geologic hazards on pages 143 through 144 of the EIR and concludes that the PSSP area is not subject to geologic hazards, including seismic hazards or soils unsuitable for building. No active faults are known to exist in the City of Modesto. No further discussion is necessary.

ii) Strong seismic ground shaking?

See response to 5ai. The proposed project is a financing mechanism to fund off-site infrastructure projects, the impacts of which have already been addressed in the 1995 PSSP EIR. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to geological problems associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

iii) Seismic-related ground failure, including liquefaction?

See response to 5ii.

iv) Landslides?

The PSSP area is flat and therefore is not susceptible to landslides.

b) Result in substantial soil erosion or the loss of topsoil?

The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to soil erosion or loss of topsoil associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

See answers to 5aiii and 5aiv.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to expansive soils associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The proposed project is a financing mechanism to fund off-site infrastructure projects, the impacts of which have already been addressed in the 1995 PSSP EIR. Annexation of the project site does not include use of septic tanks. Thus, no further discussion is necessary.

---

6. HYDROLOGY AND WATER QUALITY- Would the project:

a) Violate any water quality standards or waste discharge requirements?

The 1995 PSSP EIR addresses impacts to hydrology and water quality on pages 137 through 142 of the EIR and concludes that impacts related to the degradation of groundwater and surface water quality would be less than significant. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to violation of any water quality standards or waste discharge requirements associated with annexation of the site are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
The 1995 PSSP EIR addresses impacts related to reduction in groundwater recharge and concludes that impacts would be less than significant. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to depletion of groundwater supplies associated with annexation of the site are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

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See answer to 6a.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

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The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to flooding associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

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See response to 6a and 6d.

f) Otherwise substantially degrade water quality?

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See response to 6a.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

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The proposed project does not include development of housing. Also, the PSSP area is not within a 100-year flood hazard area.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

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See response 6g.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

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Don Pedro Dam is located 40 miles away from the PSSP area. The water level in the canals in the PSSP area are controlled by a spill wall, which prevents the canal from overflowing. Thus, impacts related to flooding hazards are less than significant.

j) Inundation by seiche, tsunami, or mudflow?

The PSSP area is not located near any large bodies of water and is not subject to seiches, tsunamis, or mudflows. No further discussion is necessary.

7. NOISE - Would the proposal result in:

| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? |
|---|---|---|---|---|
| Potentially Significant Impact | Less Than Mitigation Required | Less Than Significant Impact | No Impact |
| | | | | |
| x | | | |

The 1995 PSSP EIR addresses impacts related to noise on pages 95 through 109 of the EIR, concludes that impacts related to construction noise would be significant, and prescribes mitigation that would reduce impacts to a less-than-significant level. The EIR also concludes that impacts related to project impacts on surrounding land uses and exposure of project land uses to traffic noise would be less than significant.

The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? |
|---|---|---|---|---|
| Potentially Significant Impact | Less Than Mitigation Required | Less Than Significant Impact | No Impact |
| | | | | |
| x | | | |

Annexation of the project site would not generate any excessive groundborne vibration or groundborne noise levels. No further discussion is necessary.

| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? |
|---|---|---|---|---|
| Potentially Significant Impact | Less Than Mitigation Required | Less Than Significant Impact | No Impact |
| | | | | |
| x | | | |

The 1995 PSSP EIR concludes that noise created by project-generated traffic would not affect surrounding land uses. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to substantial permanent increases in ambient noise levels associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? |
|---|---|---|---|---|
| Potentially Significant Impact | Less Than Mitigation Required | Less Than Significant Impact | No Impact |
| | | | | |
| x | | | |

See response to 7a.
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The PSSP area is not located within an airport land use plan or near an airport. No further discussion is necessary.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

The PSSP area is not within the vicinity of a private airstrip. No further discussion is necessary.

8. POPULATION & HOUSING - Would the proposal:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP that would serve growth planned for in the PSSP and in the City’s General Plan.

The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Annexation of Thus, no further discussion is necessary.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

As stated in the project description, the owners of the project site do not intend to demolish the single-family home currently located on the site. Thus, the project would not result in the displacement of any homes. No further discussion is necessary.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

See response to 12b.
9. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire protection?

The 1995 PSSP EIR addresses impacts to fire protection service on pages 132 through 133 of the EIR and concludes that buildout of the PSSP would require the construction of an additional fire station and the employment of additional staff to accommodate increased demands for emergency and fire protection services. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The project would not contribute to the need for fire protection service. Thus, no further discussion is necessary.

ii) Police protection?

The 1995 PSSP EIR addresses impacts to police service on page 133 of the EIR and concludes that buildout of the PSSP would require additional patrol officers, support staff, and equipment to accommodate increased demands for police services. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The project would not contribute to the need for police service. Thus, no further discussion is necessary.

iii) Schools?

The 1995 PSSP EIR addresses impacts to school services on pages 134 through 135 of the EIR and concludes that buildout of the PSSP would require the construction of additional school facilities and employment of school staff to accommodate increased demands for school services. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The project would not contribute to the need for school service. Thus, no further discussion is necessary.

iv) Parks?

The 1995 PSSP EIR addresses impacts to parks on pages 133 through 134 of the EIR and concludes that the PSSP would contribute funds to meet park funding obligations. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The project would not contribute to the need for parks. Thus, no further discussion is necessary.

v) Other governmental services?

The 1995 PSSP EIR addresses impacts to social services on page 136 of the EIR and concludes that buildout of the PSSP would result in less-than-significant impacts to social services. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The project would not...
contribute to the need for social service. Thus, no further discussion is necessary.

10. TRANSPORTATION/CIRCULATION - Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

The 1995 PSSP EIR addresses traffic impacts on pages 45 through 94 of the EIR and concludes that some of the roadway segments in the vicinity of the project site would operate at Level of Service (LOS) E and LOS F, which exceeds the significance threshold of LOS D. The EIRs concludes that some traffic impacts would be significant and unavoidable. The City subsequently made the required findings under Section 21081 of the CEQA Guidelines and adopted a Statement of Overriding Considerations for the impacts identified in the 1995 PSSP EIR. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Further, the infrastructure projects would not generate traffic trips and thus, would not cause an increase in traffic. No further discussion is necessary.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

See response to 10a.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The PSSP area is not near any airports and thus, would not affect air traffic patterns. No further discussion is necessary.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

All roadway improvements would be designed in accordance with all applicable safety design standards. No further discussion is necessary.

e) Result in inadequate emergency access?

All roadway improvements would be designed in accordance with all applicable safety design standards, including emergency access standards. No further discussion is necessary.
f) Result in inadequate parking capacity?

The proposed project does not include the removal or development of parking. No further discussion is necessary.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

All roadway improvements would be required to comply with all adopted policies, plans, or programs supporting alternative transportation. No further discussion is necessary.

11. UTILITIES AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

See response to 6a.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The 1995 PSSP EIR addresses impacts to water service on pages 132 of the EIR and concludes that impacts would be less than significant. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to the construction of new water or wastewater treatment facilities or expansion of existing facilities associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The 1995 PSSP EIR concludes that impacts related to exceeding the capacity of storm drainage facilities would be less than significant. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP, including storm drainage facilities. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to the construction of new storm water drainage facilities or expansion of existing facilities associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new

City of Modesto
April 2003
Addendum

Annexation No. 2 to
Carver Bangs/Pelindale Snyder
CFD No. 1998 2
and expanded entitlements needed?

The 1995 PSSP EIR concludes that impacts related to exceeding the capacity of the water service system would be less than significant. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to water supply associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?

The 1995 PSSP EIR concludes that impacts related to exceeding the capacity of the sewage treatment plant would be less than significant. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to wastewater treatment capacity associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?

The 1995 PSSP EIR concludes that landfills serving the project site and area would have sufficient capacity to accommodate buildout of the PSSP area. The proposed project is a financing mechanism to fund off-site infrastructure projects that are consistent with PSSP. The impacts of implementation of these infrastructure projects have already been addressed in the EIR. Thus, impacts related to landfill capacity associated with annexation are consistent with the analysis presented in the EIR. Thus, no further discussion is necessary.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Solid waste generated by the proposed project would be disposed in accordance with all applicable local, state, and federal regulations related to solid waste. No further discussion is necessary.

12. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?

As noted throughout this Addendum, the proposed project would not result in any significant impacts.
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

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The proposed project would be developed as part of the buildout of the PSSP. The potential cumulative impacts of the proposed project and other projected development in the PSSP area have already been analyzed in the 1995 PSSP EIR. Thus, the project would not result in any new or increased cumulative impacts.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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As noted throughout this Addendum, the proposed project would not have the potential to result in significant impacts and thus, would not have the potential to result in substantial adverse effects on human beings.
Determination

The information and analysis presented herein provides substantial evidence for the City of Modesto to make the following findings pursuant to Sections 15090, 15164, and 15162 of the CEQA Guidelines:

1. The proposed project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects requiring the revision to the previous EIR (see checklist answers and associated explanations above);

2. The proposed project would not have circumstances that would result in new significant environmental effects and require revisions to the previous EIR (the only significant impacts identified - loss of agricultural land and intersection LOS - were previously addressed and acknowledged in the 1995 PSSP EIR; and

3. The proposed project would not generate new information not known in the previous EIR that would result in:

   a. One or more new significant effects (see items 1 and 2 directly above);

   b. An increase in the severity of a previous significant effect (see item 2 directly above and item (see item 2 directly above and items 1a and 10a in the checklist);

   c. Find new feasible mitigation measures or alternatives that the project proponents decline to adopt;

   d. Find new mitigation measures or alternatives different than those in the previous EIR that would reduce significant effects that the project proponents decline to adopt.
Sources

1. Pelandale/Snyder Specific Plan Final Environmental Impact Report, prepared by The Planning Center for the City of Modesto, November 2, 1995.


3. 1995 City of Modesto Urban Area General Plan.


A RESOLUTION AUTHORIZING ROUTING CHANGES TO MAX ROUTE 34 TO TAKE EFFECT IN AUGUST 2003

WHEREAS, the City of Modesto’s Strategic Plan includes Strategy III.B.1: “Develop an efficient, well coordinated, county-wide, multi-modal transportation system”, and

WHEREAS, the Modesto Area Express is a critical component of the transportation system, and

WHEREAS, Route 34 requires routing changes to make it more efficient, and

WHEREAS, the proposed routing changes would result in two different ending routes in the area currently served by Route 34, and

WHEREAS, the current ending loop would operate on the first and last runs of the day, and the other eleven runs would operate on a new ending loop in the Village One area, and

WHEREAS, resources gained by making efficiency changes to Route 34 would meet the needs of students and workers in Village One while continuing to provide services to most current riders on the existing route configuration, and

WHEREAS, an agenda report to the Council dated March 20, 2003, from the Engineering and Transportation Director, City staff recommended making routing changes to Route 34 and providing new service to Village One, a copy of said report is attached hereto and incorporated herein by reference, and
WHEREAS, the Economic Development Committee approved the routing change at its March 10, 2003, meeting, and

WHEREAS, a duly noticed public hearing was held by the Council on April 8, 2003 in the Tenth Street Chambers, located at 1010 Tenth Street, Modesto, California, in accordance with Federal Transit Administration regulations, and to solicit public input regarding the proposed route change.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Transit Manager is hereby directed to make the recommended routing changes to Route 34 and provide new service to Village One effective August 2003.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Conrad, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, Keating, O'Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Jean Zahr, City Clerk

APPROVED AS TO FORM:

BY: Michael D. Milich, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2003-195

A RESOLUTION APPROVING STANDARD AND SPECIFIC INSURANCE REQUIREMENTS FOR VARIOUS PERMITTEES AND/OR LICENSEES AS PROVIDED FOR IN THE MODESTO MUNICIPAL CODE.

WHEREAS, various permittees/licensees are required to provide insurance coverage in accordance with the provisions of the Modesto Municipal code, and

WHEREAS, the Modesto Municipal Code authorizes the City Council to update standard and specific insurance requirements for various permittees and/or licensees from time to time by resolution, and

WHEREAS, at their meetings of January 13, 2003, and March 10, 2003, the Economic Development Committee approved updating the standard and specific insurance requirements to include requirements for taxicab companies,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the standard and specific insurance requirements that various permittees and/or licensees are required to provide for insurance coverage in accordance with the provisions of the Modesto Municipal Code are hereby approved as set forth in Exhibit “A,” entitled STANDARD AND SPECIFIC INSURANCE REQUIREMENTS, dated April 1, 2003, a copy of which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED that any current evidence of insurance coverage already approved by the Risk Manager shall remain on file with the City as being acceptable to the City until the expiration date of each such current evidence of insurance coverage; however, upon renewal of any such permit or insurance certificate, new
requirements for insurance coverage set forth in this resolution shall be effective and required upon the effective date of this resolution.

BE IT FURTHER RESOLVED that upon the effective date of this resolution, any new permittee/licensee shall be required to submit evidence of insurance coverage as required by this resolution.

BE IT FURTHER RESOLVED that this resolution shall not become effective until the effective date of Ordinance No. 3295-C.S. which was introduced by the Council on April 8, 2003.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Keating, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, Keating, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Jean Zahr
JEAN ZAHR, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: Michael D. Milich, City Attorney
EXHIBIT "A"

STANDARD AND SPECIFIC INSURANCE REQUIREMENTS
April 2003

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1. Workers’ Compensation
2. General Liability
3. Automobile Liability
I. STANDARD INSURANCE REQUIREMENTS:

The permittee/licensee shall provide at its own expense and maintain at all times the specified insurance policies 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, notice of same shall be given to the City Clerk of the CITY by registered mail, return receipt requested.

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 permittee/licensee 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 permittee/licensee to furnish, deliver, or maintain such insurance and certificates as above provided, the permit/license, at the election of the CITY, may be forthwith declared suspended, or terminated. Failure of the permittee/licensee to obtain and/or maintain any required insurance shall not relieve the permittee/licensee from any liability under the permit/license, nor shall the insurance requirement be construed to conflict with or otherwise limit the obligations of the permittee/licensee concerning indemnification. The CITY, its agents, officers, employees, and volunteers shall be named as an additional insured on all insurance policies required, except workers’ compensation. 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 permittee/licensee. The permittee/licensee’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.
II. SPECIFIC INSURANCE REQUIREMENTS

A. Ambulance Operators:
(MMC §§ 3-8.06 & 3-9.09)

1. **Workers’ Compensation** in compliance with the statues of the State of California, plus employer’s liability with a minimum limit of liability of $500,000.

2. **General Liability** insurance with a minimum limit of liability per occurrence of $1,000,000 for bodily injury and $100,000 for property damage or $1,000,000 combined single 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; products and completed operations; and medical malpractice liability.

3. **Automobile Liability** insurance with a minimum limit of liability per occurrence of $1,000,000 for bodily injury and $100,000 for property damage or $1,000,000 combined single limit. This insurance shall cover any automobile for bodily injury and property damage.

B. Towing Service Operators:
(MMC § 3-10.23(c))

1. **Workers’ Compensation** in compliance with the statues of the State of California, plus employer’s liability with a minimum limit of liability of $500,000.

2. **General Liability** insurance with a minimum limit of liability per occurrence of $50,000 for bodily injury and $500,000 for property damage or $500,000 combined single 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; products and completed operations; garage keepers’ liability and towing and wrecker liability.

3. **Automobile Liability** insurance with a minimum limit of liability per occurrence of $50,000 for bodily injury and $500,000 for property damage or $500,000 combined single limit. This insurance shall cover any automobile for bodily injury and property damage.
C. Sidewalk Food Vendors:
(MMC § 4-1.1206)

1. **Workers’ Compensation** in compliance with statues of the State of California, plus employer’s liability with a minimum limit of liability of $500,000.

2. **General Liability** insurance with a minimum limit of liability per occurrence of $500,000 for bodily injury and $50,000 for property damage or $500,000 combined single 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; and products and completed operations.

D. Building Movers:
(MMC § 4-3.07)

1. **Workers’ Compensation** in compliance with the statues of the State of California, plus employer’s liability with a minimum limit of liability of $500,000.

2. **General Liability** insurance with a minimum limit of liability per occurrence of $1,000,000 for bodily injury and $1,000,000 for property damage or $1,000,000 combined single 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; and products and completed operations.

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

E. Taxicab Operators:
(MMC § 4-6.100)

1. **Workers’ Compensation** in compliance with the statues of the State of California, plus employer’s liability with a minimum limit of liability of $500,000. Taxicab permittee/licensee can request a waiver of this requirement by letter to the City Risk Manager if they are not required to carry insurance.
2. **General Liability** insurance with a minimum limit of liability per occurrence of $300,000 for bodily injury and $50,000 for property damage or $300,000 combined single 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 permittee/licensee and subpermittee/licensees; and products and completed operations.

2. **Automobile Liability** insurance with a minimum limit of liability per occurrence of $300,000 for bodily injury and $50,000 for property damage or $300,000 combined single limit. This insurance shall cover any automobile for bodily injury and property damage.

F. **Trampoline Operators:**  
(MMC § 4-7.1609)

1. **Workers' Compensation** in compliance with the statues of the State of California, plus employer’s liability with a minimum limit of liability of $500,000.

2. **General Liability** insurance with a minimum limit of liability per occurrence of $1,000,000 for bodily injury and $100,000 for property damage or $1,000,000 combined single limit applying to: premises and operations; broad form contractual; and products and completed operations.

G. **Refuse Disposal Operators**  
(MMC § 5-5.28)

1. **Workers' Compensation** in compliance with the statues of the State of California, plus employer’s liability with a minimum limit of $500,000.

2. **General Liability** insurance with a minimum limit of liability per occurrence of $1,000,000 for bodily injury and $100,000 for property damage or $1,000,000 combined single limit. This insurance shall indicate the policy aggregate limit applying to: premises and operations; broad form contractual; and products and completed operations.

3. **Automobile Liability** insurance with a minimum limit of liability per occurrence of $1,000,000 for bodily injury and $100,000 for property damage or $1,000,000 combined single limit. This insurance shall cover any automobile for bodily injury and property damage.
H. Motor Bus Operators:
(MMC § 6-7.207)

1. **Workers’ Compensation** in compliance with statues of the State of California, plus employer’s liability with a minimum limit of liability of $500,000.

2. **General Liability** insurance with a minimum limit of liability per occurrence of $1,000,000 for bodily injury and $100,000 for property damage or $1,000,000 combined single limit. This insurance shall indicate the policy aggregate limit applying to: premises and operations; broad form contractual; and products and completed operations.

3. **Automobile Liability** insurance with a minimum limit of liability per occurrence of $15,000,000 for bodily injury and $100,000 for property damage or $15,000,000 combined single limit. This insurance shall cover any automobile for bodily injury and property damage.

I. Public Works Permit:
(MMC §§ 7-1.109 & 7-2.29)

1. **Workers’ Compensation** in compliance with the statues of the State of California, plus employer’s liability with a minimum limit of $500,000.

2. **General Liability** insurance with a minimum limit of liability per occurrence of $500,000 for bodily injury and $50,000 for property damage or $500,000 combined single 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; and products and completed operations.

J. Commercial Aircraft:
(MMC § 7-3.108)

1. **Workers’ Compensation** in compliance with the statues of the State of California, plus employer's liability with a minimum limit of liability of $500,000.

2. **General Liability** insurance with a minimum limit of liability of $15,000,000 for bodily injury and $1,000,000 for property damage or $15,000,000 combined single 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; and products and completed operations.
K. **Permanently Based Private Aircraft:**
(MMC § 7-3.108.1)

1. General Liability insurance with a minimum limit if liability per occurrence of $300,000 for bodily injury and $100,000 for property damage or $300,000 combined single 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; and products and completed operations.

L. **Motor Vehicles and Motorized Equipment on Air Operations Areas of Airport Premises:**
(MMC § 7-3.108.2)

1. Automobile Liability insurance with a minimum limit of liability per occurrence of $300,000 for bodily injury and $100,000 for property damage or $300,000 combined single limit. This insurance shall cover any automobile for bodily injury and property damage.

M. **Fixed Base Operators:**
(MMC § 7-3.108.3)

1. **Workers’ Compensation** in compliance with the statues of the State of California, plus employer's liability with a minimum limit of $500,000.

2. General Liability insurance with a minimum limit of liability per occurrence of $1,000,000 for bodily injury and $100,000 for property damage or $1,000,000 combined single 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; products and completed operations; and hanger keepers’ liability.

N. **Cable Television Franchise:**
(MMC § 11-4.33)

1. **Workers Compensation** in compliance with the statues of the State of California, plus employer" liability with a minimum limit of liability of $500,000.

2. General Liability insurance with a minimum limit of liability of $1,000,000 for bodily injury and $100,000 for property damage or $1,000,000 combined single 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; and products and completed operations.

3. **Automobile Liability** insurance with a minimum limit of liability per occurrence of $1,000,000 for bodily injury and $100,000 for property damage or $1,000,000 combined single limit. The insurance shall cover any automobile injury and property damage.
MODESTO CITY COUNCIL
RESOLUTION NO. 2003-190

A RESOLUTION CANVASSING THE RESULTS OF THE APRIL 15, 2003, ELECTION HELD WITHIN THE TERRITORY PROPOSED TO BE ANNEXED TO COMMUNITY FACILITIES DISTRICT NO. 1998-2, AND ORDERING ANNEXATION OF SAID TERRITORY TO THE DISTRICT (CARVER-BANGS/PELANDALE-SNYDER - ANNEXATION #2)

WHEREAS, pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), the City Council (the "Council") of the City of Modesto (the "City"), by its Resolution of Formation No. 98-653, adopted on December 8, 1998, formed its Community Facilities District No. 1998-2 (the "District"), relating to territory within the Carver-Bangs and Pelandale-Snyder Specific Plan Areas, and, subject to the vote of the qualified electors therein, authorized the levy of a special tax therein, and

WHEREAS, pursuant to the Act, this Council did, by its Resolution No. 99-286, adopted on June 8, 1999, order a change and add taxes for completion of Snyder Avenue improvements, and

WHEREAS, by its Resolution No. 2000-278, adopted on June 6, 2000, this Council resolved to complete annexation #1 to the District, and

WHEREAS, the Council thereafter declared its intention, by its Resolution of Intention to Annex No. 2003-106, adopted February 25, 2003, to annex certain territory to the District, a boundary map for which is recorded in Volume 3 of Maps of Assessment and Community Facilities Districts at page 73 in the Office of the Stanislaus County Recorder (the "Annexed Territory"), relating to territory within the Village One Area, and to levy a special tax therein (the "Special Tax") as set forth in Exhibit "A" hereto, and by this reference incorporated herein, for the purposes of financing certain
facilities and services as set forth in Exhibit “A” hereto, and by this reference
incorporated herein, and to set a hearing thereon for April 8, 2003, and

WHEREAS, at the conclusion of the public hearing, the Council did, on April 8,
2003, adopt its Resolution No. 2003-192, in which it determined to submit the question
of the annexation of territory to the District and the levy of the Special Tax therein to the
qualified electors of the Annexed Territory, and called an election thereon, which was
held on April 15, 2003, (the "Election"), and

WHEREAS, on April 15, 2003, the Election was held relative to the foregoing,
and

WHEREAS, the City Clerk has certified that, at the Election, the proposition of
levying the Special Tax within the Annexed Territory was approved by at least two-thirds
(2/3) of the votes cast,

NOW, THEREFORE, BE IT RESOLVED, ORDERED AND FOUND, by the
City Council of the City of Modesto, that:

1. The above recitals are true and correct.

2. The Election was duly and validly conducted in conformity with all
applicable laws, rules and regulations pertaining thereto.

3. Based on the City Clerk's certificate of election results, attached hereto
as Exhibit “B”, the ballot proposition presented to the qualified
electors of the Annexed Territory at the Election received at least two-
thirds (2/3) of the votes cast.

4. Pursuant to Section 53339.8 of the Act, it is hereby determined that the
Annexed Territory is added to and is a part of the District with full
legal effect, and that this Council may levy the Special Tax within the Annexed Territory.

5. The City Clerk of the City of Modesto is hereby directed to enter this resolution in the minutes of this City Council, which shall constitute the official declaration of the result of such Election, and is hereby further authorized and directed to record notice of the annexation by filing an amendment to the notice of special tax lien with the Office of the County Recorder for the County of Stanislaus pursuant to Sections 3114.5 and 3117.7 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Conrad, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Frohman, Jackman, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Fisher, Keating

ATTEST: Jean Zahr

(SEAL)

APPROVED AS TO FORM:

By: Michael D. Milich, City Attorney
Exhibit A
CITY OF MODESTO
COMMUNITY FACILITIES DISTRICT NO. 1998-2
(CARVER-BANGS/PELANDALE-SNYDER)

CFD PUBLIC REPORT

March 25, 1999

Prepared For:

CITY OF MODESTO

Prepared By:

DAVID TAUSIG AND ASSOCIATES, INC.
425 University Avenue, Suite 110
Sacramento, California 95825
(916) 920-1109
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## Section II. Structure of Community Facilities District No. 1998-2

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## Section III. Description of Facilities and Services to be Funded by CFD No. 1998-2

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## APPENDICES:

Appendix A: CFD Boundary Map
Appendix B: Rate and Method of Apportionment of Special Tax and Reimbursements
Appendix C: Detailed Facility Cost Estimates
I. BACKGROUND

Community Facilities District (CFD) No. 1998-2 is being formed to provide a funding and reimbursement mechanism for public facilities and services required to serve the Carver-Bangs and Pelandale-Snyder Specific Plans in the City of Modesto. Portions of both Specific Plan areas are included within the initial boundaries of the CFD, and the remainder of the property within both Plan areas is expected to annex into the CFD at a later date.

As a condition of development of the Specific Plan areas, the developers are required to install various public improvements which will serve the increased population generated from the projects. Many of these improvements must be provided in the early stages of development and, therefore, the first developers to build within the projects must install the improvements and receive fee credits or reimbursements in exchange for the facilities. CFD No. 1998-2 is the vehicle that will be used to ensure that all landowners in the Specific Plans pay their fair share of the public improvements. In addition, the CFD will generate funding for ongoing maintenance of landscaping and open space within the project areas.

Following is a brief description of both projects:

A. Carver-Bangs Specific Plan

On April 1, 1997, the City Council of the City of Modesto approved Resolution No. 97-161, thereby adopting the Carver-Bangs Specific Plan. The Specific Plan was subsequently amended by City Council Resolution 97-633. Carver-Bangs is a proposed 160-acre project bounded on the east by Carver Road, on the North by Bangs Avenue, on the south by the Pelandale-Snyder Specific Plan (discussed further below), and on the west by the Kieman Business Park area. The Carver-Bangs Specific Plan will be developed under the City’s Village Residential guidelines, which will yield approximately 800 single family residential units.

B. Pelandale-Snyder Specific Plan

The Pelandale-Snyder Specific Plan was approved by the City Council on January 16, 1996 by the adoption of Resolution No. 95-16, and was subsequently amended by City Council Resolutions 97-136 and 97-139. The Specific Plan area is bounded by Dale Road on the west, the extension of Pelandale Road on the north, Union Pacific Railroad on the east, and the Modesto Irrigation District canal and Snyder Avenue on the South. Approximately 227 acres of the project are designated Single Family Residential (SFR), and 57 acres are designated Multi-Family Residential; in total, 2,613 residential dwelling units are expected at buildout of the Specific Plan. In addition, 36 acres of the Specific Plan area will be used for an elementary school site, a City park, and a church.
II. STRUCTURE OF COMMUNITY FACILITIES DISTRICT NO. 1998-2

A. Introduction

A Mello-Roos CFD may provide for the purchase, construction, expansion or rehabilitation of any real or tangible property, including public facilities and infrastructure improvements, with an estimated useful life of five (5) years or longer, which is necessary to meet increased demands placed upon local agencies as a result of development or rehabilitation occurring within the CFD. In addition, a CFD may pay for various public services and maintenance of public improvements, including parkways and open space.

The Resolution of Intention to Establish CFD No. 1998-2 (Resolution No. 98-582) was adopted by the City Council on November 3, 1998. After a public hearing and a successful election by landowners within the CFD, the CFD will be formed and the levy of a special tax will be authorized.

B. Boundaries of CFD 1998-2

As mentioned above, the initial boundaries of the CFD include portions of both the Carver-Bangs and Pelandale-Snyder Specific Plans. Additional property is expected to annex into the CFD in future years as development in the area expands. It is anticipated that property subsequently annexed into the CFD will be subject to the same special tax formula as property in the CFD from the start, with a maximum Facilities Special Tax (discussed further below) assigned to the property when it is annexed. Property in the Carver-Bangs Specific Plan is included within Tax Area A of the CFD, and parcels in Pelandale-Snyder make up Tax Area B of the CFD. A separate maximum tax has been calculated for each tax area, as discussed further in Section C below.

The boundaries of the CFD are shown on a boundary map that was approved by the City Council and recorded in Volume 3, page 5 of the Book of Maps of Assessment Districts and Community Facilities Districts in the Stanislaus County Recorder's Office. A copy of the CFD boundary map is provided as Appendix A of this CFD Public Report.

C. CFD Special Tax Structure

1. Facilities Special Tax

Each year, special taxes will be levied and collected from parcels within the CFD to pay costs associated with storm drainage and road improvements, as well as maintenance of these improvements (authorized facilities and maintenance costs are discussed in more detail below). The Rate and Method of Apportionment of Special Tax and Reimbursements ("RMA"), which describes in detail how the tax will be allocated among properties in the CFD, is included as Appendix B of this report.
As explained in Sections D and E of the RMA, two different special taxes will be levied within the CFD. First, a “Facilities Special Tax” will be levied to pay for capital improvements and appurtenant expenses, such as design, planning, engineering and inspection. The entire Facilities Special Tax will be collected prior to a final building permit inspection being completed or a certificate of occupancy being issued for new construction on a parcel within the CFD. Because each Specific Plan area is responsible for only the facilities required to serve that area, separate “tax areas” were established within the CFD to avoid any crossover of responsibility for the funding of required infrastructure. A separate Facilities Special Tax has been determined for each assessor’s parcel that was included within each tax area at the time CFD No. 1998-2 was formed; Attachment 2 of Appendix B identifies the maximum Facilities Special Tax assigned to each parcel.

Section C.1 of the RMA (Appendix B) explains how the Facilities Special Tax obligation assigned to each original assessor’s parcel will be reallocated when subdivision occurs. Regardless of changes in land use in future years, the maximum Facilities Special Tax revenues that can be collected from property in the CFD will never be reduced. In January 2002 and each January thereafter, the maximum Facilities Special Tax assigned to each assessor’s parcel will be increased by four percent of the amount in effect in the prior year.

Section D of Appendix B sets forth a credit/reimbursement program which allows developers who have constructed and dedicated public improvements to take credits against the Facilities Special Taxes that would otherwise be paid until such credits equal the cost set forth in Appendix C of this CFD Public Report for the public improvements provided by the developer. Regardless of the actual cost incurred by the developer for construction of the public improvement(s), credits against the Facilities Special Tax can be taken until the amount credited is equal to the facility cost shown in Appendix C for that improvement(s). If the developer’s project is built out and a balance remains to be credited, the developer will instead receive a cash reimbursement from Facilities Special Taxes collected from other property owners in the CFD until the combined amount of fee credits and cash reimbursements is equal to the cost of the public improvement(s) as shown in Appendix C of this report. All costs and reimbursements are subject to a four percent increase in January 2002 and each January thereafter.

Facility Special Tax credits and reimbursements will be applied based on a specified order of priority, which is identified in Attachment J of Appendix B. Until all facilities of a higher priority have been fully funded, a developer who builds an improvement that is of a lower priority will not receive fee credits or reimbursements. The order of priority is specific to each tax area, which means facilities of a lower priority may be funded in one tax area even if the higher priority facilities in the other tax area have not yet been fully funded. Appendix B provides a more detailed description of the credit/reimbursement program.
2. **Maintenance Special Tax**

The second special tax that can be levied in the CFD is the “Maintenance Special Tax”, which will be collected to pay costs associated with maintaining parkways and open space in both Specific Plan areas. Again, a separate maximum Maintenance Special Tax has been determined for Tax Area A and Tax Area B, as shown in the following table:

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Tax Area A (Carver-Bangs)</th>
<th>Tax Area B (Pelandale-Snyder)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>$118 per unit</td>
<td>$92 per unit</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>$945 per Acre</td>
<td>$733 per Acre</td>
</tr>
<tr>
<td>Non-Residential</td>
<td>$945 per Acre</td>
<td>$733 per Acre</td>
</tr>
</tbody>
</table>

*Beginning in 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.*

The Maintenance Special Tax will be collected each fiscal year on the property tax bills of all parcels in the CFD that have had a final building permit inspection conducted or a certificate of occupancy issued prior to June 1 of the preceding fiscal year.

### III. **Facilities and Services to be Funded by CFD No. 1998-2**

The facilities and services described below are all facilities which the City of Modesto is authorized to finance and which are required to adequately meet the needs of CFD No. 1998-2. The special taxes required to pay for these facilities and services will be apportioned according to the “Rate and Method of Apportionment of Special Tax” included as Appendix B of this report.

**Capital Improvements**

**A. Carver-Bangs (Tax Area A)**

Following is a summary of the capital improvements to be funded through CFD No. 1998-2 to serve the Carver-Bangs Specific Plan. A detailed breakdown of facility components and the corresponding cost estimates is provided in Appendix C of this report.
### Storm Drainage Improvements

- Prescott Road: $1,494,750
- American Avenue: $24,033
- Bangs Avenue: $254,305
- Carver Road: $57,270
- American Avenue Canal Overcrossing: $295,066
- Class I Bike Trail: $142,500
- CFD Formation Costs: $67,500
- **Total Capital Improvement Costs**: $2,480,847

### Pelendale-Snyder (Tax Area B)

- Storm Drainage Improvements: $4,389,042
- Dale Road: $531,075
- Prescott Road: $628,297
- Tully Road: $1,011,016
- Snyder Avenue: $504,283
- Class I Bike Trail: $752,675
- CFD Formation Costs: $67,500
- **Total Capital Improvement Costs**: $7,883,888

### Annual Maintenance Costs

#### A. Carver-Bangs

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangs Avenue (South Side)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8' Landscape Strip (4,680 LF x 8' = 37,400 SF)</td>
<td>37,400</td>
<td>SF</td>
<td>$0.72</td>
<td>$26,957</td>
</tr>
<tr>
<td>American Avenue (East Side)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8' Landscape Strip (1,200 LF x 8' = 9,600 SF)</td>
<td>9,600</td>
<td>SF</td>
<td>$0.72</td>
<td>$6,912</td>
</tr>
<tr>
<td>Prescott Road 16' Center Median</td>
<td>10,500</td>
<td>SF</td>
<td>$0.72</td>
<td>$7,740</td>
</tr>
<tr>
<td>Prescott Road Treewell and Vine Blockouts with 10' Sidewalk and Masonry Wall</td>
<td>8,080</td>
<td>SF</td>
<td>$0.72</td>
<td>$2,218</td>
</tr>
<tr>
<td>(56 Each 5' x 5' Treewalls + 56 each 3' x 10' vine blockouts)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Class I Bike Trail</td>
<td>1,308</td>
<td>SF</td>
<td>$0.72</td>
<td>$942</td>
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<tr>
<td>Pelendale Avenue (North Side) Landscape Strip</td>
<td>1,996</td>
<td>SF</td>
<td>$0.72</td>
<td>$1,437</td>
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<tr>
<td>Carver Road (West Side)</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>(1,194 LF x 8' = 9,552 S.F.)</td>
<td>9,552</td>
<td>SF</td>
<td>$0.72</td>
<td>$6,877</td>
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<tr>
<td><strong>Total Annual Maintenance Costs</strong></td>
<td></td>
<td></td>
<td></td>
<td>$53,083</td>
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</table>
### B. *Pelandale-Snyder*

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Cost</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dale Road (East Side), 12' Wide Landscape Strip (1,255 LF x 12' = 14,700 SF)</td>
<td>14,700</td>
<td>SF</td>
<td>$0.72</td>
<td>$10,584</td>
</tr>
<tr>
<td>Prescott Road (East Side), 12' Wide Landscape Strip (1,225 LF x 12' = 14,700 SF)</td>
<td>14,700</td>
<td>SF</td>
<td>$0.72</td>
<td>$10,584</td>
</tr>
<tr>
<td>Prescott Road 16' Center Median</td>
<td>10,750</td>
<td>SF</td>
<td>$0.72</td>
<td>$7,740</td>
</tr>
<tr>
<td>Tully Road (Both Sides), 12' Wide Landscape Strip (2,650 LF x 12' = 21,800 SF)</td>
<td>31,800</td>
<td>SF</td>
<td>$0.72</td>
<td>$22,896</td>
</tr>
<tr>
<td>Tully Road 16' Center Median</td>
<td>10,750</td>
<td>SF</td>
<td>$0.72</td>
<td>$7,740</td>
</tr>
<tr>
<td>Class I Bike Trail</td>
<td>8,820</td>
<td>SF</td>
<td>$0.72</td>
<td>$6,350</td>
</tr>
<tr>
<td>Pelandale Avenue (South Side)</td>
<td>10,400</td>
<td>SF</td>
<td>$0.72</td>
<td>$7,488</td>
</tr>
<tr>
<td>Carver West Side Back-up Lots South of Pelandale Avenue (515 L.F. x 5' = 2,575)</td>
<td>2,575</td>
<td>SF</td>
<td>$0.72</td>
<td>$1,854</td>
</tr>
<tr>
<td>Landscaping Surrounding Storm Drain Basins</td>
<td>35,000</td>
<td>SF</td>
<td>$0.72</td>
<td>$25,200</td>
</tr>
</tbody>
</table>

**Total Annual Maintenance Costs**

$100,436

The description of facilities and services, as set forth herein, is general in nature. The final nature and location of improvements will be determined upon the preparation of final plans and specifications.
APPENDIX A

CITY OF MODESTO
COMMUNITY FACILITIES DISTRICT NO. 1998-2

BOUNDARY MAP
PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 1998-2
(CARVER-BANGS/PELANDALE-SNYDER)
COUNTY OF STANISLAUS, STATE OF CALIFORNIA
APPENDIX B

CITY OF MODESTO
COMMUNITY FACILITIES DISTRICT NO. 1998-2

RATE AND METHOD OF APPORTIONMENT OF
SPECIAL TAX AND REIMBURSEMENTS
EXHIBIT B

CITY OF MODESTO
COMMUNITY FACILITIES DISTRICT NO. 1998-2
(CARVER-BANCS/PFLANDALE-SNYDER)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX AND REIMBURSEMENTS

A special tax applicable to each Assessor's Parcel in Community Facilities District No. 1998-2 (herein "CFD No. 1998-2") shall be levied and collected according to the tax liability determined by the City Council of the City of Modesto, through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in CFD No. 1998-2, unless exempted by law or by the provisions of Section F below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 1998-2 unless a separate Rate and Method of Apportionment of Special Tax and Reimbursements is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre or Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map, parcel map, or other recorded County parcel map.

"Administration Component" means that portion of the Facilities Special Tax which must be paid (i.e., is not subject to fee credits) 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. The revenue collected from the Administration Component will be used by the City to pay annual expenses, consultants' fees, and staff time associated with administering the CFD, monitoring the Authorized Facilities and effecting reimbursements, including but not limited to the following: (i) tracking development in the CFD, (ii) preparing the tax roll for the Annual Maintenance Special Tax, (iii) calculating and collecting the Facilities Special Tax, (iv) engineering, (v) planning, (vi) legal services, and (vii) acquisition and construction of land and improvements associated with the Authorized Facilities.

"Administrator" shall mean the person(s) or firm(s) designated by the City to administer the Special Tax according to this Rate and Method of Apportionment of Special Tax and Reimbursements.

"Annual Maintenance Special Tax" means a Special Tax levied in any Fiscal Year to pay the Maintenance Special Tax Requirement, as defined below.
“Assessor’s Parcel” means a lot or parcel shown in an Assessor’s Parcel Map with an assigned Assessor’s Parcel number.

“Assessor’s Parcel Map” means an official map of the County Assessor of the County of Stanislaus designating parcels by Assessor’s Parcel number.

“Authorized Facilities” or “Authorized Facility” means those public improvements (including portions of such public improvements) to be funded by CFD No. 1998-2 as identified in Attachment 1 of this Rate and Method of Apportionment of Special Tax and Reimbursements, including appurtenant expenses such as planning, design, engineering and inspection.

“Buildable Lot” means an individual numbered lot which is in its final configuration and for which a building permit may be issued.

“CFD Costs” means the total amount shown in the CFD Public Report to cover costs associated with CFD formation, CFD administration, and engineering, legal services, planning and geotechnical studies related to the Authorized Facilities.

“CFD Public Report” means the report filed with the City Clerk on behalf of CFD No. 1998-2 pursuant to Section 53321.5 of the Mello-Roos Community Facilities Act of 1982.

“Church Property” means any Parcel within the CFD that is exempt from ad valorem property taxes because it is owned by a religious organization.

“City” means the City of Modesto.

“Council” means the City Council of the City of Modesto, acting as the legislative body of CFD No. 1998-2.

“Credit/Reimbursement Amount” means the sum of the portion of the CFD Costs and the costs of Authorized Facilities that have been paid in advance by a builder/developer and have not yet been reimbursed to that builder/developer through one of the following: (i) the application of Special Tax Credits (as defined below) or (ii) payments to the builder/developer from Facilities Special Taxes collected from other builders/developers in the CFD. The Credit/Reimbursement Amount outstanding at any point in time will be determined pursuant to Section D below.

“Facilities Special Tax” means a Special Tax collected by the City to pay for one or more of the following: (i) the costs of Authorized Facilities and CFD Costs, (ii) to reimburse a builder/developer who has an outstanding Credit/Reimbursement Amount, and (iii) if all Authorized Facilities have been completed, to pay for maintenance authorized to be funded by the CFD.

“Final Map” means a final map, or portion thereof, approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.).
"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Maintenance Special Tax Requirement" means the amount necessary in any Fiscal Year to (i) pay for authorized maintenance expenses, (ii) pay administrative expenses of CFD No. 1998-2, and (iii) cure any delinquencies in the payment of Annual Maintenance Special Taxes levied in prior Fiscal Years or (based on delinquencies in the payment of Special Taxes which have already taken place) are expected to occur in the Fiscal Year in which the tax will be collected.

"Maximum Special Tax" means the maximum Special Tax, determined in accordance with Section C below, that can be levied by the City in any Fiscal Year on Taxable Property.

"Non-Residential Property" means, in any Fiscal Year, all Parcels for which a building permit has been issued for a commercial, office or industrial establishment or any other use which is not single family or multi-family residential property and which is not exempt from Special Taxes pursuant to Section F below.

"Order of Priority" means the order in which the Authorized Facilities and CFD Costs must be fully credited or reimbursed before Special Tax Credits can be made against the Facilities Special Tax or reimbursements paid to a builder/developer for other CFD facilities that are of lower priority. The Order of Priority is identified in Attachment 1 of this Rate and Method of Apportionment of Special Tax and Reimbursements.

"Original Parcel" means an Assessor's Parcel that will be further subdivided upon recordation of a Final Map. The Original Parcels in CFD No. 1998-2 at the time the Resolution of Formation of CFD No. 1998-2 was approved by the Council are listed in Attachment 2.

"Public Agency" means the federal government, State of California or other local governments or public agencies.

"Reimbursable Cost" means, for any of the Authorized Facilities, the amount shown in 1998 dollars in the CFD Public Report, which amount shall, beginning in January 2002 and each January thereafter, be increased by four percent (4%) of the amount in effect in the prior year.

"Special Tax Credit" means a waiver of the creditable portion of the Facilities Special Tax that would otherwise be due from a Parcel in the CFD if the builder/developer of that Parcel did not have an outstanding Credit/Reimbursement Amount.

"Subdivided Property" means, in any Fiscal Year, all Buildable Lots for which a final building permit inspection has taken place or a certificate of occupancy has been issued prior to June 1 of the preceding Fiscal Year.

"Successor Parcel" means an Assessor’s Parcel of Taxable Property created by the subdivision or reconfiguration of an Original Parcel within the CFD.
“Taxable Property” means, in any Fiscal Year, all Parcels in CFD No. 1998-2 that have not been exempted from the Special Tax pursuant to Section F below.

“Tax Area A” means parcels within the Carver-Bangs Specific Plan Area, which Area is shown in Attachment 3A of this Rate and Method of Apportionment of Special Tax and Reimbursements.

“Tax Area B” means parcels within the Pelandale-Snyder Specific Plan Area, which Area is shown in Attachment 3B of this Rate and Method of Apportionment of Special Tax and Reimbursements.

B. ANNUAL MONITORING

The Administrator shall keep an ongoing record of the Acreage and current Assessor’s Parcel numbers within Tax Area A and Tax Area B and, after July 1 of each Fiscal Year, shall identify the Assessor’s Parcels which have become Subdivided Property and, therefore, will be subject to the levy of the Maintenance Special Tax in that Fiscal Year. The Administrator shall also continually monitor Subdivided Property to ensure the Facilities Special Tax is collected prior to final building permit inspection or issuance of a certificate of occupancy (whichever occurs first), unless the Parcel qualifies for a Special Tax Credit, as discussed further in Section D below.

C. MAXIMUM SPECIAL TAX

I. Facilities Special Tax

The maximum 1998 Facilities Special Tax for Original Parcels in CFD No. 1998-2 when the CFD was formed is shown in Attachment 2. Each time a Final Map is approved within the CFD or when Parcels in the CFD are otherwise subdivided or reconfigured, the Administrator shall reallocate the maximum Facilities Special Tax assigned to each Original Parcel to the Subsequent Parcels created by approval of the Final Map as follows:

Step 1a. Identify the maximum Facilities Special Tax applicable to the Original Parcel being subdivided (the maximum Facilities Special Tax for Original Parcels in the CFD when the CFD was formed are shown in Attachment 2);

Step 1b. Determine the Acreage of Taxable Property within the approved Final Map;

Step 1c. Determine the total Acreage of Taxable Property within the Original Parcel being subdivided, including the Taxable Property within the Final Map;
Step 1d. Divide the Acreage determined in Step 1b by the total Acreage of the Original Parcel determined in Step 1c to calculate a percentage;

Step 1e. Multiply the percentage determined in Step 1d by the amount identified in Step 1a to calculate the maximum Facilities Special Tax to be allocated to the Final Map area. If a Final Map is approved for a portion of an Original Parcel, the maximum Facilities Special Tax that has not been allocated to the Final Map area will stay assigned to the remainder of the Taxable Property within the Original Parcel until it is further subdivided;

Step 1f. Spread the maximum Facilities Special Tax calculated in Step 1e to each of the Successor Parcels within the Final Map area based on each Successor Parcel's share of the Acreage of Taxable Property within the Final Map.

After each reallocation of the maximum Facilities Special Tax upon subdivision or reconfiguration of Original Parcels, the sum of the maximum Facilities Special Tax assigned to Subsequent Parcels shall never be less than the maximum Facilities Special Tax assigned to the Original Parcel(s) prior to such reallocation. Beginning in January 2002 and each January thereafter, the maximum Facilities Special Tax assigned to each Parcel shall be increased by four percent (4%) of the amount in effect in the prior year.

2. Annual Maintenance Special Tax

All Subdivided Property within the CFD shall be subject to an Annual Maintenance Special Tax that shall be levied each Fiscal Year to meet the Maintenance Special Tax Requirement. The Annual Maintenance Special Tax shall be reflected as an annual lien on each Parcel in CFD No. 1998-2 and is anticipated to stay with the property and be paid each year by the current homeowner or property owner. The following maximum rates apply to all Parcels of Taxable Property within CFD No. 1998-2 for Fiscal Year 1998-99:
CITY OF MODESTO
COMMUNITY FACILITIES DISTRICT No. 1998-2
(Carver-Bangs/Pelandale-Snyder)
FISCAL YEAR 1998-99 MAXIMUM ANNUAL MAINTENANCE SPECIAL TAX*

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Tax Area A (Carver-Bangs)</th>
<th>Tax Area B (Pelandale-Snyd.,)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>$118 per unit</td>
<td>$92 per unit</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>$945 per Acre</td>
<td>$733 per Acre</td>
</tr>
<tr>
<td>Non-Residential</td>
<td>$945 per Acre</td>
<td>$733 per Acre</td>
</tr>
</tbody>
</table>

*Beginning in 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.

D. IMPLEMENTATION OF CREDIT/REIMBURSEMENT PROGRAM

Certain builders/developers may be required to pay CFD Costs and fund and construct Authorized Facilities that are ultimately intended to be funded from Facilities Special Tax revenues. The City shall implement a Special Tax Credit and reimbursement program, which will ensure that builders/developers that pay more than their fair share of the CFD Costs and/or Authorized Facilities costs will be reimbursed for the overage.

At the request of the landowners and developers at the time this Rate and Method of Apportionment was prepared and CFD No. 1998-2 was formed, all credits and reimbursements to builder/developers who provide Authorized Facilities shall be in amounts equal to the costs set forth for those Authorized Facilities in the CFD Public Report (except as adjusted as described below). Pursuant to this request, whether the actual cost to build an Authorized Facility is higher or lower than the amount shown in the CFD Public Report for that Authorized Facility, a builder/developer shall be credited and/or reimbursed for the dollar amount included in the CFD Public Report for that Authorized Facility. If there is a cost savings for one Authorized Facility and a cost overrun for another, there is no opportunity pursuant to this Rate and Method of Apportionment for the cost savings to offset the cost overrun.

The following steps shall be applied to implement the credit/reimbursement program:

On an Ongoing Basis

* In January 2002 and each January thereafter, the Administrator shall escalate the following items by four percent (4%): (i) the Facilities Special Tax assigned to each Parcel, (ii) the Credit/Reimbursement Amount outstanding for any builder/developer, and (iii) the costs of Authorized Facilities that have not yet been constructed. An updated list of those three items shall be available each year by February 15.
The Administrator will keep a current list of the adjustments that have been applied in each year to the items listed above.

The Administrator will keep track of which Authorized Facilities shown in Attachment 1 have been fully credited or reimbursed to establish the next Authorized Facility to be funded according to the Order of Priority.

For builder/developers who pay more than their pro-rata share of the cost of particular Authorized Facilities and/or CFD Costs and are due a reimbursement after applying Special Tax Credits, the Administrator shall keep track of the date on the “Notice of Completion of Public Facilities to be Acquired by CFD No. 1998-2” (or other such certificate issued by the City) to ensure that reimbursements of costs that fall within the same Order of Priority will be made on a first incurred/first paid basis.

When a Final Map is Approved by the City Council:

Step 1. The Administrator shall determine which Authorized Facilities the builder/developer subdividing the property has funded;

Step 2. The Administrator shall determine the Order of Priority for the Authorized Facilities funded by the builder/developer. If the improvements are not first in the Order of Priority, the Administrator shall determine whether facilities that are of a higher priority have yet been fully reimbursed or credited;

Step 3. By reference to the detailed cost estimates set forth in the CFD Public Report, the Administrator shall determine the estimated 1998 cost that had been included in the maximum Facilities Special Tax for the Authorized Facilities provided by the builder/developer;

Step 4. Using 2002 as the first year of escalation, the Administrator shall escalate the cost of the Authorized Facilities (as shown in the CFD Public Report) provided by the builder/developer to the year in which the Credit/Reimbursement Amount is being calculated. This escalation shall apply on an annual basis (i.e., subtract 2001 from the then current year to determine how many years worth of escalation to apply) and shall be compounded in the same manner as the Facilities Special Tax has been escalated. This escalated cost represents the total Credit/Reimbursement Amount due to the builder/developer, the balance of which, as of the year 2002 and each year following, shall be escalated by four percent (4%) each year until fully reimbursed or credited against Facilities Special Taxes paid by the builder/developer.
Prior to final building permit inspection or issuance of a certificate of occupancy (whichever occurs first)

Note: the following steps may be applied to a single Parcel or a group of Parcels (i.e., all residential lots within a particular Final Map)

The Administrator shall determine if the builder/developer has an outstanding Credit/Reimbursement Amount and apply one of the following:

Step 1. If there is an outstanding Credit/Reimbursement Amount for the builder/developer, the Administrator shall apply the following steps to determine if a Facilities Special Tax is due from the subject Parcel(s):

Step 1a. Identify the Facilities Special Tax that would have been paid by the Parcel(s) if no Credit/Reimbursement Amount were outstanding;

Step 1b. Multiply the amount determined in Step 1a by .07 to calculate the Administration Component, which shall be due and payable to the City prior to final building permit inspection or issuance of a certificate of occupancy (whichever comes first);

Step 1c. Subtract the Administration Component calculated in Step 1b from the Facilities Special Tax identified in Step 1a to calculate the net amount that could be collected for facility costs, and apply one of the following:

* If the net amount determined in Step 1c is less than the outstanding Credit/Reimbursement Amount for the builder/developer, the Administration Component calculated in Step 1b shall be collected and the builder/developer shall be given a Special Tax Credit against the remainder of the Facilities Special Tax for that Parcel(s). After the Special Tax Credit has been calculated, the Administrator shall subtract that amount from the outstanding Credit/Reimbursement Amount for that builder/developer.

* If the net amount determined in Step 1c is greater than the outstanding Credit/Reimbursement Amount for the builder/developer, subtract the outstanding Credit/Reimbursement Amount from the net amount of Facilities Special Tax calculated in Step 1c to determine the amount that must be paid by the builder/developer. If the calculation is being prepared
for multiple Parcels at one time, the builder/developer may use up the remaining Credit/Reimbursement Amount by taking Special Tax Credits against the first lots to develop and pay the remaining balance when the subsequent lots develop. The Administrator shall update the CFD records to reflect a zero Credit/Reimbursement Amount for that builder/developer.

**Step 2. If there is not an outstanding Credit/Reimbursement Amount for the builder/developer, the Administrator shall apply the following steps:**

**Step 2a.** Identify the Facilities Special Tax assigned to the Parcel(s), which shall be due and payable to the City prior to final building permit inspection or issuance of a certificate of occupancy (whichever comes first);

**Step 2b.** Multiply the amount determined in Step 2a by .07 to calculate the Administration Component, which shall remain on deposit with the City;

**Step 2c.** Subtract the Administration Component calculated in Step 2b from the Facilities Special Tax identified in Step 2a to calculate the net amount that shall be collected to provide reimbursements to builder/developers with outstanding Credit/Reimbursement Amounts;

**Step 2d.** Determine whether there is an outstanding Credit/Reimbursement Amount due other builder/developers in the CFD and apply one of the following:

- *If there are outstanding Credit/Reimbursement Amounts, look at the Order of Priority of the Authorized Facilities for which a Credit/Reimbursement Amount is due. In addition, identify the dates on the "Notice of Completion of Public Facilities to be Acquired by CFD No. 1998-2" (or other such certificate issued by the City) which were provided to each builder/developer for which a Credit/Reimbursement Amount is outstanding. Reimbursements shall be paid based on the Order of Priority and, if there are multiple Credit/Reimbursement Amounts due within the same priority level, based on the date on which a "Notice of Completion of Public Facilities to be Acquired by CFD No. 1998-2" was issued to each*
builder/developer. After the reimbursements are made, the Administrator shall reduce the Credit/Reimbursement Amount for the builder/developer(s) who received reimbursement by the amount of such reimbursement.

If there are no outstanding Credit/Reimbursement Amounts due any builder/developer, the City shall deposit the Facilities Special Tax into an account which will be designated for funding the Authorized Facilities. The balance in this fund will be used either to pay directly for the construction of Authorized Facilities or to reimburse a builder/developer who constructs Authorized Facilities in future years. The interest earned on funds in this account shall accrue to the account for the same purposes.

E. METHOD OF LEVY AND COLLECTION OF THE SPECIAL TAX

1. Facilities Special Tax

The maximum Facilities Special Tax determined pursuant to Section C above 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.

2. Annual Maintenance Special Tax

Commencing with Fiscal Year 1999-00 and for each following Fiscal Year, the Administrator shall determine the Maintenance Special Tax Requirement for that Fiscal Year. The Annual Maintenance Special Tax shall then be levied on all Parcels of Subdivided Property as follows:

Step 1: Calculate the total Maintenance Special Tax revenues that could be collected from Subdivided Property within the CFD, based on application of the maximum Annual Maintenance Special Tax rates determined pursuant to Section C.2 above;

Step 2: Divide the Maintenance Special Tax Requirement by the maximum revenues that could be collected as determined in Step 1;
Step 3: If the ratio determined in Step 2 is greater than or equal to 1, levy the maximum Annual Maintenance Special Tax determined pursuant to Section C.2 on all Subdivided Property in the CFD. If the ratio determined in Step 2 is less than 1, continue to Step 4.

Step 4: If the ratio determined in Step 2 is less than 1, levy the maximum Annual Maintenance Special Tax against all Parcels of Subdivided Property in equal percentages up to 100% of the maximum Annual Maintenance Special Tax determined pursuant to Section C.2 above until the amount so levied equals the Maintenance Special Tax Requirement for the Fiscal Year.

The Annual Maintenance Special Tax for CFD No. 1998-2 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that CFD No. 1998-2 may (under the authority of Government Code Section 53340), in any particular case, bill the taxes directly to the property owner, off the County tax roll, and the Special Taxes will be equally subject to foreclosure if delinquent as annual Special Taxes levied on the County tax roll.

In no event shall the Maintenance Special Tax levied and collected in one Tax Area be increased due to delinquencies in the other Tax Area.

F. LIMITATIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax and Reimbursements, no Special Tax shall be levied on structures built on land that has been conveyed to a Public Agency, except as otherwise provided in Sections 53317.3 and 53317.5 of the Mello-Roos Community Facilities Act of 1982. No Annual Maintenance Special Tax shall be levied on Church Property unless such Church Property is built on a Parcel or Parcels that had previously been developed with residential or non-residential land uses which had paid the Annual Maintenance Special Tax. The maximum Annual Maintenance Special Tax assigned to such Church Property would be equal to the maximum Annual Maintenance Special Tax that had previously been assigned to the residential or non-residential land uses on the property.

The Maintenance Special Tax will continue to be levied and collected unless and until the City determines that Maintenance Special Tax revenues are no longer needed to pay authorized services of the CFD.

G. ENFORCEMENT

All delinquent Facility Special Taxes, or delinquent Annual Maintenance Special Taxes billed off the County tax roll, shall be subject to an immediate 10% penalty plus simple interest charges of
1.5% as of the first day of the month after the delinquency date and on the first day of each month thereafter. Any such delinquent Special Taxes shall, at the City’s discretion, be placed on the next secured property tax roll. The amount placed on the roll shall include the 10% penalty and the interest charges through the following January 1. This shall not prevent the City from simultaneously pursuing the delinquency by an action on a contract or guarantee against a third party who promised to pay the taxes, or from assigning such right of action to the property owner or other appropriate party.
ATTACHMENT 1

COMMUNITY FACILITIES DISTRICT NO. 1998-2
(CARVER BANGS/PELANDALE-SNYDER)
ORDER OF PRIORITY OF AUTHORIZED FACILITIES

First Priority
- Storm drain basin construction (including but not limited to basins, inlet structures, pipelines, and fencing)
- Storm drain trunkline in Snyder Avenue adjacent to school and park sites
- CFD Costs (as identified in the CFD Public Report)
- Engineering design costs for storm drain related improvements (including geotechnical)

Second Priority
- Storm drain basin land purchase for both basins (Van Konynenburg properties), east and west of Modesto Irrigation District lateral No. 6

Third Priority
- Storm drain trunk lines (other than trunkline in Snyder Avenue adjacent to school and park sites)

[Note that storm drain trunk lines are specific to each tax area and will remain a third priority within a tax area until all trunk lines within that tax area are credited or reimbursed.]

Fourth Priority
- Storm drain pump station, piping and landscaping around storm drainage basin

Fifth Priority, Tax Area A (Carver Bangs)
- Bike trail
- American Avenue
- Prescott Road
- Bangs Avenue
- Carver Road
- American Avenue crossing of Modesto Irrigation District lateral No. 6
- Pedestrian bridge crossing of Modesto Irrigation District lateral No. 6

Fifth Priority, Tax Area B (Pelandale-Snyder)
- Bike trail
- Dale Road
- Prescott Road
- Tully Road
- Snyder Avenue (opposite)
- Tully/Snyder traffic signal
## CITY OF MODESTO COMMUNITY FACILITIES DISTRICT NO. 1998-2
(CARVER-BANGS/PELANDALE-SNYDER)

### MAXIMUM FACILITIES SPECIAL TAX

<table>
<thead>
<tr>
<th>Carver-Bangs</th>
<th>Pelandale-Snyder</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infrastructure Costs, other than Storm Drainage</td>
<td>$986,097</td>
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<tr>
<td>Plus: Administration 7.00%</td>
<td>$69,027</td>
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<tr>
<td>Subtotal, Costs other than Storm Drainage</td>
<td>$1,055,124</td>
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<tr>
<td>Storm Drainage Costs</td>
<td>$1,494,750</td>
</tr>
<tr>
<td>Plus: Administration 7.00%</td>
<td>$104,633</td>
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<tr>
<td>Subtotal, Storm Drainage Costs</td>
<td>$1,599,383</td>
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**Total Costs Assigned to Tax Area**

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<thead>
<tr>
<th>Carver-Bangs</th>
<th>Pelandale-Snyder</th>
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<tbody>
<tr>
<td>$2,654,506</td>
<td>$8,435,760</td>
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### Total Net Acreage Contributing to Non-Drainage Facilities

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<tr>
<th>Carver-Bangs</th>
<th>Pelandale-Snyder</th>
</tr>
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<tbody>
<tr>
<td>137.44</td>
<td>298.40</td>
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### One-Time Special Tax per Net Acre for non-Drainage

<table>
<thead>
<tr>
<th>Assessor Parcel No.</th>
<th>Property Owner</th>
<th>Net Acreage</th>
<th>1998 Maximum Facilities Special Tax/1</th>
</tr>
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<tbody>
<tr>
<td>78 12 02</td>
<td>Calvary Chapel</td>
<td>0.89</td>
<td>$17,189</td>
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<tr>
<td>78 18 23</td>
<td>Calvary Chapel</td>
<td>14.19</td>
<td>$274,065</td>
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<td>78 18 24</td>
<td>William Han</td>
<td>28.90</td>
<td>$558,173</td>
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<tr>
<td>78 18 14</td>
<td>Lowry, Luscher, Donovan</td>
<td>22.60</td>
<td>$436,495</td>
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<tr>
<td>46 07 15</td>
<td>Kaufman &amp; Broad</td>
<td>18.11</td>
<td>$349,775</td>
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<tr>
<td>46 07 16</td>
<td>Elaine Fowler</td>
<td>18.11</td>
<td>$349,775</td>
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<tr>
<td>46 07 18</td>
<td>Ronald Malik</td>
<td>8.75</td>
<td>$168,997</td>
</tr>
<tr>
<td>46 07 19</td>
<td>Ronald Malik</td>
<td>19.30</td>
<td>$372,759</td>
</tr>
<tr>
<td>46 07 20</td>
<td>Ronald Malik</td>
<td>8.31</td>
<td>$160,499</td>
</tr>
<tr>
<td><strong>Total, Carver-Bangs</strong></td>
<td></td>
<td>137.44</td>
<td>$2,654,506</td>
</tr>
</tbody>
</table>

### Total Net Acreage Contributing to Storm Drainage

<table>
<thead>
<tr>
<th>Carver-Bangs</th>
<th>Pelandale-Snyder</th>
</tr>
</thead>
<tbody>
<tr>
<td>137.44</td>
<td>317.73</td>
</tr>
</tbody>
</table>

### One-Time Special Tax per Net Acre for Storm Drainage

<table>
<thead>
<tr>
<th>Assessor Parcel No.</th>
<th>Property Owner</th>
<th>Net Acreage</th>
<th>1998 Maximum Facilities Special Tax/1</th>
</tr>
</thead>
<tbody>
<tr>
<td>78 18 06</td>
<td>TRS Enterprises</td>
<td>35.45</td>
<td>$968,228</td>
</tr>
<tr>
<td>78 18 7</td>
<td>Vossoughi Investments</td>
<td>18.67</td>
<td>$509,924</td>
</tr>
<tr>
<td>78 18 22</td>
<td>Rodney K. Lowe, Inc.</td>
<td>18.35</td>
<td>$501,184</td>
</tr>
<tr>
<td>78 18 28</td>
<td>Corn-Harris Development</td>
<td>20.62</td>
<td>$563,184</td>
</tr>
<tr>
<td>78 18 12</td>
<td>Resource Development</td>
<td>24.08</td>
<td>$657,685</td>
</tr>
<tr>
<td>46 07 17</td>
<td>Marlene Johnston, et. al.</td>
<td>16.22</td>
<td>$443,009</td>
</tr>
<tr>
<td>46 07 11</td>
<td>Verna Mae Johnson Trust</td>
<td>17.95</td>
<td>$490,259</td>
</tr>
<tr>
<td>46 07 12</td>
<td>William P. Couture</td>
<td>18.11</td>
<td>$372,759</td>
</tr>
<tr>
<td>46 07 27</td>
<td>Red Rock Ranch</td>
<td>13.05</td>
<td>$356,428</td>
</tr>
<tr>
<td>46 07 09</td>
<td>Walker Family Partnership</td>
<td>26.90</td>
<td>$734,706</td>
</tr>
<tr>
<td>46 07 07</td>
<td>Resource Development</td>
<td>13.89</td>
<td>$379,371</td>
</tr>
<tr>
<td>46 07 06</td>
<td>Resource Development</td>
<td>13.89</td>
<td>$379,371</td>
</tr>
<tr>
<td>46 07 05</td>
<td>Brent &amp; Diana Holtz</td>
<td>18.62</td>
<td>$508,559</td>
</tr>
<tr>
<td>46 03 02</td>
<td>Big Valley Grace Comm. Church</td>
<td>7.20</td>
<td>$196,650</td>
</tr>
<tr>
<td>46 03 06</td>
<td>Big Valley Grace Comm. Church</td>
<td>9.07</td>
<td>$247,724</td>
</tr>
<tr>
<td>46 03 07</td>
<td>Big Valley Grace Comm. Church</td>
<td>8.10</td>
<td>$494,356</td>
</tr>
<tr>
<td>46 03 09</td>
<td>Big Valley Grace Comm. Church</td>
<td>12.32</td>
<td>$285,711</td>
</tr>
<tr>
<td><strong>Total, Pelandale-Snyder</strong></td>
<td></td>
<td>317.73</td>
<td>$8,435,760</td>
</tr>
</tbody>
</table>

**Note:** Maximum taxes shall be increased each year by four percent of the amount in effect in the prior year.
ATTACHMENT 3

COMMUNITY FACILITIES DISTRICT NO. 1998-2
(CARVER BANGS/PELANDALE-SNYDER)

IDENTIFICATION OF TAX AREA A AND TAX AREA B
COMMUNITY FACILITIES DISTRICT NO. 1998-2

TAX AREA "A"

[Map of the tax area with street names and landmarks]
APPENDIX C

CITY OF MODESTO
COMMUNITY FACILITIES DISTRICT NO. 1998-2

DETAILED FACILITY COST ESTIMATES
CARVER-BANGS
(TAX AREA A)

DETAILED FACILITY COST ESTIMATES
I. CARVER / BANGS SPECIFIC PLAN AREA

TOTAL ESTIMATED CFD COSTS

A. C.F.D. FEE PER NET ACRE

\[ \frac{2,424,418}{137.44} = \text{COST PER NET ACRE} \]

\[ \frac{2,424,418}{137.44} = \text{COST PER NET ACRE} \]

\[ \frac{2,424,418}{137.44} = \text{COST PER NET ACRE} \]

$17,640

B. ANNUAL LANDSCAPE MAINTENANCE COSTS PER NET ACRE

COST PER NET ACRE

\[ \frac{2,424,418}{137.44} = \text{COST PER NET ACRE} \]

$715

CARVER / BANGS (TAX AREA A)
SPECIFIC PLAN AREA
CFD REIMBURSEMENT PRIORITY

I. ORDER OF REIMBURSEMENT AND/OR CREDIT

A. FIRST PRIORITY

1. STORM DRAIN BASIN CONSTRUCTION (INCLUDING BUT NOT LIMITED TO BASINS, INLET STRUCTURES, PIPELINES, AND FENCING)
2. STORM DRAIN TRUNKLINE IN SNYDER AVENUE ADJACENT TO SCHOOL AND PARK SITES.
4. ALL ENGINEERING DESIGN COSTS FOR STORM DRAIN RELATED IMPROVEMENTS (INCLUDING GEOTECHNICAL).

B. SECOND PRIORITY

1. STORM DRAIN BASIN LAND PURCHASE FOR BOTH BASINS (VAN KONYENBURG PROPERTIES), EAST AND WEST OF MODESTO IRRIGATION DISTRICT LATERAL NO. 6.

C. THIRD PRIORITY

1. STORM DRAIN TRUNKLINES.

D. FOURTH PRIORITY

1. STORM DRAIN PUMP STATION, PIPING AND LANDSCAPING AROUND THE STORM DRAIN BASIN.

E. FIFTH PRIORITY

1. BIKE TRAIL
2. AMERICAN AVENUE
3. PRESCOTT ROAD
4. BANGS AVENUE
5. CARVER ROAD
CARVER BANGS SPECIFIC PLAN AREA (TAX AREA A)
COMMUNITY FACILITIES
DISTRICT FORMATION
COST SUMMARY

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Storm Drainage</td>
<td>$1,494,750</td>
</tr>
<tr>
<td>B. Prescott Road</td>
<td>$145,422</td>
</tr>
<tr>
<td>C. American Avenue</td>
<td>$24,033</td>
</tr>
<tr>
<td>D. Bangs Avenue</td>
<td>$254,305</td>
</tr>
<tr>
<td>E. Carver Road</td>
<td>$57,270</td>
</tr>
<tr>
<td>F. American Avenue Canal Crossing</td>
<td>$295,065</td>
</tr>
<tr>
<td>G. Class 1 Bike Trail</td>
<td>$142,500</td>
</tr>
<tr>
<td>H. Formation Costs</td>
<td>$67,500</td>
</tr>
<tr>
<td><strong>Total CFD Costs</strong></td>
<td><strong>$2,480,847</strong></td>
</tr>
</tbody>
</table>

**NOTE:**

1. THE ABOVE TOTAL COSTS DO NOT INCLUDE THE ANNUAL LANDSCAPE MAINTENANCE COSTS FOR PLAN AREA. THE ANNUAL LANDSCAPE MAINTENANCE COSTS IS ESTIMATED AT $751 PER ACRE.

2. FINAL BID QUANTITIES MAY INCLUDE MORE DETAILED LINE ITEMS WHICH SHALL BE ALL INCLUSIVELY WITHIN LUMP SUM AMOUNTS OR QUANTITIES SHOWN IN THIS DOCUMENT.
CARVER-BANGS SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
STORM DRAIN TRUNK LINES
AND
PROPORTIONATE SHARE OF PELANDALE-SNYDER
STORM DRAIN BASIN AND APPURTENANCES
(REFERENCE FIGURE 1)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>STORM DRAIN TRUNK LINES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.</td>
<td>CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>30&quot; STORM</td>
<td>2,549</td>
<td>LF</td>
<td>$100.00</td>
<td>$254,900</td>
</tr>
<tr>
<td>2.</td>
<td>36&quot; STORM</td>
<td>1,279</td>
<td>LF</td>
<td>$121.00</td>
<td>$154,759</td>
</tr>
<tr>
<td>3.</td>
<td>48&quot; STORM</td>
<td>597</td>
<td>LF</td>
<td>$161.00</td>
<td>$96,117</td>
</tr>
<tr>
<td>4.</td>
<td>SHARE OF 54&quot; STORM DRAIN TO BASIN</td>
<td>46</td>
<td>LF</td>
<td>$182.00</td>
<td>$8,372</td>
</tr>
<tr>
<td>5.</td>
<td>MANHOLES</td>
<td>14</td>
<td>EA</td>
<td>$5,750.00</td>
<td>$80,500</td>
</tr>
</tbody>
</table>

  SUB-TOTAL STORM DRAIN TRUNK LINES =====> $594,656

  10% CONTINGENCY =====> $59,466

  TOTAL CONSTRUCTION - STORM DRAIN TRUNK LINES =====> $654,113

II. STORM DRAINAGE BASIN FACILITIES

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>STORM DRAIN BASIN EXCAVATION</td>
<td>42,628</td>
<td>CY</td>
<td>$6.00</td>
<td>$255,768</td>
</tr>
<tr>
<td>2.</td>
<td>STORM DRAIN PUMP STATION</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$165,445.00</td>
<td>$165,445</td>
</tr>
<tr>
<td>3.</td>
<td>STORM DRAIN PIPING (PLUS JACK &amp; BORE)</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$8,934.00</td>
<td>$8,943</td>
</tr>
<tr>
<td>4.</td>
<td>FENCING</td>
<td>1,227</td>
<td>LF</td>
<td>$16.00</td>
<td>$19,632</td>
</tr>
<tr>
<td>5.</td>
<td>LANDSCAPING</td>
<td>10,433</td>
<td>SF</td>
<td>$2.80</td>
<td>$29,212</td>
</tr>
<tr>
<td>6.</td>
<td>INLETS</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$2,981.00</td>
<td>$2,981</td>
</tr>
<tr>
<td>7.</td>
<td>STRIPPING / CLEARING / DISCING</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$2,981.00</td>
<td>$2,981</td>
</tr>
</tbody>
</table>

  SUB-TOTAL STORM DRAIN BASIN FACILITIES =====> $484,962

  10% CONTINGENCY =====> $48,496

  TOTAL STORM DRAIN BASIN FACILITIES =====> $533,459

D. FEES

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>ENGINEERING</td>
<td>1 EST</td>
<td></td>
<td>$29,808.00</td>
<td>$29,808.00</td>
</tr>
<tr>
<td>2.</td>
<td>STAKING</td>
<td>1 EST</td>
<td></td>
<td>$14,755.00</td>
<td>$14,755.00</td>
</tr>
<tr>
<td>3.</td>
<td>CONSTRUCTION MANAGEMENT</td>
<td>1 EST</td>
<td></td>
<td>$19,873.00</td>
<td>$19,873.00</td>
</tr>
<tr>
<td>4.</td>
<td>GEOTECHNICAL</td>
<td>1 EST</td>
<td></td>
<td>$5,365.00</td>
<td>$5,365.00</td>
</tr>
</tbody>
</table>

  TOTAL FEES =====> $64,436
C. LAND ACQUISITION

1. LAND PURCHASE
2. ADMINISTRATION

NOTES:

1. THE CARVER-BANGS PROPORTIONATE SHARE OF THE STORM DRAIN BASIN AND APPURTENANCE WAS DERIVED FROM A PER GROSS ACRE SHARE. THE FOLLOWING REPRESENTS THE FORMULA USED FOR CONSTRUCTION AND FEES:

A. GROSS ACREAGE SUMMARY

<table>
<thead>
<tr>
<th>PELANDALE / SNYDER</th>
<th>CARVER / BANGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>357.46</td>
<td>151.80</td>
</tr>
</tbody>
</table>

TOTAL GROSS ACRES = 509.26

B. CARVER / BANGS PROPORTIONATE SHARE

\[ \frac{151.80}{509.26} = 29.81\% \]

2. STORM DRAIN TRUNK LINE AND BASIN SIZING WERE TAKEN FROM THE PELANDALE-SNYDER AND CARVER-BANGS STORM DRAINAGE SYSTEM PLANS DATED AUGUST 5, 1998 PREPARED BY MID-VALLEY ENGINEERING, INC.

3. STORM DRAIN BASIN EXCAVATION INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING: PIPE DOW DRAINS, SPLASH PADS, LOW FLOW CHANNEL AND ROCK TRENCH, A.C. PAVING, DISPOSAL AREA GROUND PREPARATION, 6" A.C. BERM, AND REMOVAL OF EXISTING IRRIGATION LINES.
**CARVER-Bangs SPECIFIC PLAN AREA**
**COMMUNITY FACILITIES DISTRICT**
**PRELIMINARY ENGINEER'S ESTIMATE**
**FOR**
**PRESCOTT ROAD (20' CFD PORTION)**
**FROM**
Pelandale Avenue to Bangs Avenue (1,323' C.L. to C.L.)
(REFERENCE FIGURE 2)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. CONSTRUCTION (20' CFD PORTION)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. CLEARING AND GRADING</td>
<td>24,675</td>
<td>SF</td>
<td>$0.60</td>
<td>$14,805</td>
<td></td>
</tr>
<tr>
<td>2. PAVEMENT (0.50' A.C. OVER 0.65' A.B., T.I. = 10 R.V. = 50)</td>
<td>24,675</td>
<td>SF</td>
<td>$2.00</td>
<td>$49,350</td>
<td></td>
</tr>
<tr>
<td>3. STORM DRAINAGE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. CATCH BASINS</td>
<td>4</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$4,000</td>
<td></td>
</tr>
<tr>
<td>b. 12&quot; CATCH BASIN RUNS (50 L.F. PER C.B.)</td>
<td>200</td>
<td>LF</td>
<td>$30.00</td>
<td>$6,000</td>
<td></td>
</tr>
<tr>
<td>c. MANHOLES</td>
<td>2</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$4,000</td>
<td></td>
</tr>
<tr>
<td>4. PRIME COAT</td>
<td>24,675</td>
<td>SF</td>
<td>$0.02</td>
<td>$494</td>
<td></td>
</tr>
<tr>
<td>5. STRIPING / SIGNAGE (5% OF GRADING AND PAVEMENT COST)</td>
<td>1</td>
<td>EST</td>
<td>$3,207.75</td>
<td>$3,208</td>
<td></td>
</tr>
</tbody>
</table>

**CONSTRUCTION TOTAL =====>** $81,856
**15% CONTINGENCY =====>** $12,278
**TOTAL PRESCOTT ROAD CONSTRUCTION =====>** $94,135

| B. FEES | | | | | |
| 1. ENGINEERING (6% OF CONSTRUCTION TOTAL) | 1 | EST | $5,648.08 | $5,648 |
| 2. STAKING (3% OF CONSTRUCTION TOTAL) | 1 | EST | $2,824.04 | $2,824 |
| 3. CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL) | 1 | EST | $3,765.39 | $3,765 |

**TOTAL FEES =====>** $12,238

| C. LAND ACQUISITION | | | | | |
| 1. RIGHT-OF-WAY DEDICATION | 0.57 | AC | $65,000.00 | $37,050 |
| 2. RIGHT-OF-WAY ADMINISTRATION | LUMP SUM LS | $2,000.00 | $2,000 |

**TOTAL LAND ACQUISITION =====>** $39,050

**GRAND TOTAL: =====>** $147,193

**NOTES:**
1. THE ABOVE ESTIMATE IS FOR THE PORTION OF PRESCOTT ROAD IMPROVEMENTS WHICH IS ABOVE AND BEYOND A NORMAL CITY STANDARD COLLECTOR STREET (60' WIDE) AND WHICH IS NOT FUNDED THROUGH THE CITY'S CFP PROGRAM. (SEE FIGURE 2).
2. THE ABOVE ESTIMATE ONLY INCLUDES THE STORM DRAIN COSTS FOR THE CATCH BASINS, STORM DRAIN CATCH BASIN LATERALS AND STORM MANHOLES WHICH IS ASSUMED TO BE A PROPORTIONATE SHARE OF THE STORM IMPROVEMENTS. THE "MAINLINE" STORM DRAIN IMPROVEMENTS ARE TO BE INSTALLED BY ADJACENT DEVELOPMENT.
NOTES:

2. BASED ON CITY POLICY, 40' OF IMPROVEMENTS ARE CONSTRUCTED BY THE ADJOINING DEVELOPMENT. THE 40' SECTION IS CONSTANT AT THE FLARED INTERSECTIONS.

3. THE STANDARD CITY CROSS SECTION FOR A MINOR COLLECTOR STREET IS 80' TOTAL. COLLECTOR STREETS ARE ENTIRELY CONSTRUCTED BY THE ADJOINING DEVELOPMENT.

4. THE REMAINING PORTION THAT IS NOT FUNDED BY THE CITY'S CFD PROGRAM AND IS NOT WITHIN THE STANDARD 80' MINOR COLLECTOR SECTION IS INCLUDED WITHIN THE CFD.

Figure 2
**CARVER-BANGS SPECIFIC PLAN AREA**  
**COMMUNITY FACILITIES DISTRICT**  
**PRELIMINARY ENGINEER’S ESTIMATE**  
**FOR**  
**AMERICAN AVENUE (2’ CFD PORTION HALF SECTION ONLY)**  
**FROM**  
**PELANDALE AVENUE TO BANGS AVENUE (1,350’ C.L. TO C.L.)**  
(REFERENCE FIGURE 3)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. CONSTRUCTION (CFD PORTION)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. CLEARING AND GRADING</td>
<td></td>
<td>2,535</td>
<td>SF</td>
<td>$0.35</td>
<td>$887</td>
</tr>
<tr>
<td>2. PAVEMENT (0.40' A.C. OVER 0.45' A.B., T.L. = 8 R.V. = 50)</td>
<td></td>
<td>2,535</td>
<td>SF</td>
<td>$1.75</td>
<td>$4,436</td>
</tr>
<tr>
<td>3. STORM DRAINAGE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. CATCH BASINS</td>
<td></td>
<td>2</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$2,000</td>
</tr>
<tr>
<td>b. 12” CATCH BASIN RUNS (50 L.F. PER C.B.)</td>
<td></td>
<td>100</td>
<td>LF</td>
<td>$30.00</td>
<td>$3,000</td>
</tr>
<tr>
<td>c. MANHOLES</td>
<td></td>
<td>2</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$4,000</td>
</tr>
<tr>
<td>4. PRIME COAT</td>
<td></td>
<td></td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$100.00</td>
</tr>
<tr>
<td>5. STRIPING / SIGNAGE (5% OF GRADING AND PAVEMENT COSTS)</td>
<td></td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$300.00</td>
<td>$300</td>
</tr>
</tbody>
</table>

CONSTRUCTION TOTAL $14,724  
15% CONTINGENCY $2,209  
TOTAL PRESCOTT ROAD CONSTRUCTION $16,932

B. FEES | | | | | |
| 1. ENGINEERING (6% OF CONSTRUCTION TOTAL) | | 1 | EST | $1,015.92 | $1,016 |
| 2. STAKING (3% OF CONSTRUCTION TOTAL) | | 1 | EST | $507.96 | $508 |
| 3. CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL) | | 1 | EST | $677.28 | $677 |

TOTAL FEES $2,201

C. LAND ACQUISITION | | | | | |
| 1. RIGHT-OF-WAY DEDICATION | | 0.06 | AC | $55,000.00 | $3,900 |
| 2. RIGHT-OF-WAY ADMINISTRATION | | LUMP SUM | LS | $1,000.00 | $1,000 |

TOTAL LAND ACQUISITION $4,900

GRAND TOTAL $24,033

**NOTES:**  
1. THE ABOVE ESTIMATE IS FOR THE PORTION OF AMERICAN AVENUE IMPROVEMENTS WHICH IS ABOVE AND BEYOND A NORMAL CITY STANDARD COLLECTOR STREET (60’ WIDE) AND WHICH IS NOT FUNDED THROUGH THE CITY’S CFF PROGRAM. (SEE FIGURE 3).  
2. THE ABOVE ESTIMATE ONLY INCLUDES THE STORM DRAIN COSTS FOR THE CATCH BASINS, STORM DRAIN CATCH BASIN LATERALS AND STORM MANHOLES WHICH IS ASSUMED TO BE A PROPORTIONATE SHARE OF THE STORM IMPROVEMENTS. THE “MAINLINE” STORM DRAIN IMPROVEMENTS ARE TO BE INSTALLED BY ADJACENT DEVELOPMENT.
AMERICAN AVENUE SECTION
(MID-BLOCK-LOOKING NORTH)

NOTES:

2. BASED ON CITY POLICY, 40' OF IMPROVEMENTS ARE CONSTRUCTED BY THE ADJOINING DEVELOPMENT. THE 40' SECTION IS CONSTANT AT THE FLARED INTERSECTIONS.

3. THE STANDARD CITY CROSS SECTION FOR A MINOR COLLECTOR STREET IS 60' TOTAL. COLLECTOR STREETS ARE ENTIRELY CONSTRUCTED BY THE ADJOINING DEVELOPMENT.

4. THE REMAINING PORTION THAT IS NOT FUNDED BY THE CITY'S CFD PROGRAM AND IS NOT WITHIN THE STANDARD 60' MINOR COLLECTOR SECTION IS INCLUDED WITHIN THE CFD.

FIGURE 3
CARVER-BANGS SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
BANGS AVENUE (9' CFD PORTION, HALF SECTION ONLY)
FROM
AMERICAN AVENUE TO CARVER ROAD (5,350' C.L. TO C.L.)
(REFERENCE FIGURE 4)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. CONSTRUCTION (CFD PORTION)</td>
<td>1. CLEARING AND GRADING</td>
<td>48,150</td>
<td>SF</td>
<td>$0.35</td>
<td>$16,853</td>
</tr>
<tr>
<td></td>
<td>2. PAVEMENT (0.40' A.C. OVER 0.45' A.B., T.I. = 8 R.V. = 50)</td>
<td>48,150</td>
<td>SF</td>
<td>$1.75</td>
<td>$84,263</td>
</tr>
<tr>
<td></td>
<td>3. STORM DRAINAGE</td>
<td>7</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$7,000</td>
</tr>
<tr>
<td></td>
<td>a. CATCH BASINS</td>
<td>350</td>
<td>LF</td>
<td>$30.00</td>
<td>$10,500</td>
</tr>
<tr>
<td></td>
<td>b. 12&quot; CATCH BASIN RUNS (50 L.F. PER C.B.)</td>
<td>7</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$14,000</td>
</tr>
<tr>
<td></td>
<td>c. MANHOLES</td>
<td>48,150</td>
<td>SF</td>
<td>$0.02</td>
<td>$963</td>
</tr>
<tr>
<td></td>
<td>4. PRIME COAT</td>
<td>1</td>
<td>EST</td>
<td>$5,055.75</td>
<td>$5,056</td>
</tr>
<tr>
<td></td>
<td>5. STRIPING / SIGNAGE</td>
<td>(5% OF GRADING AND PAVEMENT COSTS)</td>
<td>1</td>
<td>EST</td>
<td>$5,055.75</td>
</tr>
</tbody>
</table>

CONSTRUCTION TOTAL =========> $139,634
15% CONTINGENCY =========> $20,795
TOTAL PRESCOTT ROAD CONSTRUCTION =========> $159,429

B. FEES
1. ENGINEERING (6% OF CONSTRUCTION TOTAL) | 1 | EST | $9,556.73 | $9,556  |
2. STAKING (3% OF CONSTRUCTION TOTAL) | 1 | EST | $4,782.86 | $4,783  |
3. CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL) | 1 | EST | $6,377.15 | $6,377  |

TOTAL FEES =========> $20,725

C. LAND ACQUISITION
1. RIGHT-OF-WAY DEDICATION | 1.11 | AC  | $55,000.00 | $72,150 |
2. RIGHT-OF-WAY ADMINISTRATION | LUMP SUM LS | $2,000.00 | $2,000 |

TOTAL LAND ACQUISITION =========> $74,150
GRAND TOTAL =========> $234,305

NOTES:
1. THE ABOVE ESTIMATE IS FOR THE PORTION OF BANGS AVENUE IMPROVEMENTS WHICH IS ABOVE AND BEYOND A NORMAL CITY STANDARD COLLECTOR STREET (50' WIDE) AND WHICH IS NOT FUNDED THROUGH THE CITY'S CFF PROGRAM. (SEE FIGURE 4).

2. THE ABOVE ESTIMATE ONLY INCLUDES THE STORM DRAIN COSTS FOR THE CATCH BASINS, STORM DRAIN CATCH BASIN LATERALS AND STORM MANHOLES WHICH IS ASSUMED TO BE A PROPORTIONATE SHARE OF THE STORM IMPROVEMENTS. THE "MAINLINE" STORM DRAIN IMPROVEMENTS ARE TO BE INSTALLED BY ADJACENT DEVELOPMENT.
BANGS AVENUE SECTION
(MID-BLOCK LOOKING EAST)

R.O.W. AT MID-BLOCK

NOTES:
1. BASED ON CITY POLICY, THE PORTION OF THE ROADWAY IMPROVEMENTS ABOVE AND BEYOND THE
   ADJACENT DEVELOPERS RESPONSIBILITY IS INCLUDED IN THE CFF PROGRAM. THE CFF PORTION GETS WIDER
   AS THE ROAD SECTION PLUNGS AT THE PRESCOTT/PANS AND PRESCOTT/PELANDALE INTERSECTIONS.

2. BASED ON CITY POLICY, 40' OF IMPROVEMENTS ARE CONSTRUCTED BY THE ADJOINING DEVELOPMENT.
   THE 40' SECTION IS CONSTANT AT THE FLARED INTERSECTIONS.

3. THE STANDARD CITY CROSS SECTION FOR A MINOR COLLECTOR STREET IS 60'. TOTAL COLLECTOR
   STREETS ARE ENTIRELY CONSTRUCTED BY THE ADJOINING DEVELOPMENT.

4. THE REMAINING PORTION THAT IS NOT FUNDED BY THE CITY'S CFF PROGRAM AND IS NOT WITHIN
   THE STANDARD 60' MINOR COLLECTOR SECTION IS INCLUDED WITHIN THE CFF.

Drawn J.R.M.
Date 7-28-98

FIGURE 4
CARVER-BANGS SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER’S ESTIMATE
FOR
CARVER ROAD (9’ CFD PORTION, HALF SECTION ONLY)
FROM
PELANDALE AVENUE TO BANGS AVENUE
(REFERENCE FIGURE 5)

### Item Description Table

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Construction (6’ CFD Portion)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Clearing and Grading</td>
<td>9,900</td>
<td>SF</td>
<td>$0.35</td>
<td>$3,465</td>
</tr>
<tr>
<td>2. Pavement (0.40’ A.C. over 0.45’ A.B., T.I. = 8 R.V. = 50)</td>
<td>9,900</td>
<td>SF</td>
<td>$1.75</td>
<td>$17,325</td>
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<tr>
<td>3. Storm Drainage</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>a. Catch Basins</td>
<td>2</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$2,000</td>
</tr>
<tr>
<td>b. 12’ Catch Basin Runs (50 L.F. per C.B.)</td>
<td>100</td>
<td>LF</td>
<td>$30.00</td>
<td>$3,000</td>
</tr>
<tr>
<td>c. Manholes</td>
<td>2</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$4,000</td>
</tr>
<tr>
<td>4. Prime Coat</td>
<td>9,900</td>
<td>SF</td>
<td>$0.02</td>
<td>$198</td>
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<tr>
<td>5. Striping / Signage (5% of grading and pavement costs)</td>
<td>1 EST</td>
<td>EST</td>
<td>$1,039.50</td>
<td>$1,040</td>
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</table>

**Construction Total** = $31,028

15% Contingency = $4,654

**Total Prescott Road Construction** = $35,682

**B. Fees**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Engineering (6% of construction total)</td>
<td>1</td>
<td>EST</td>
<td>$2,140.90</td>
<td>$2,141</td>
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<tr>
<td>2. Staking (3% of construction total)</td>
<td>1</td>
<td>EST</td>
<td>$1,070.45</td>
<td>$1,070</td>
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<tr>
<td>3. Construction Management (4% of construction total)</td>
<td>1 EST</td>
<td>EST</td>
<td>$1,427.27</td>
<td>$1,427</td>
</tr>
</tbody>
</table>

**Total Fees** = $4,639

**C. Land Acquisition**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Right-of-Way Dedication</td>
<td>0.23</td>
<td>AC</td>
<td>$65,000.00</td>
<td>$14,950</td>
</tr>
<tr>
<td>2. Right-of-Way Administration</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$2,000.00</td>
<td>$2,000</td>
</tr>
</tbody>
</table>

**Total Land Acquisition** = $16,950

**Grand Total** = $57,270

**Notes:**

1. The above estimate is for the portion of Carver Road improvements which is above and beyond a normal city standard collector street (60’ wide) and which is not funded through the City’s CFD program. (See Figure 5).

2. The above estimate only includes the storm drain costs for the catch basins, storm drain catch basin laterals and storm manholes which is assumed to be a proportionate share of the storm improvements. The "mainline" storm drainage improvements are to be installed by adjacent development.
NOTES:

2. BASED ON CITY POLICY, 40' OF IMPROVEMENTS ARE CONSTRUCTED BY THE ADJOINING DEVELOPMENT. THE 40' SECTION IS CONSTANT AT THE FLARED INTERSECTIONS.

3. THE STANDARD CITY CROSS SECTION FOR A MINOR COLLECTOR STREET IS 60' TOTAL. COLLECTOR STREETS ARE ENTIRELY CONSTRUCTED BY THE ADJOINING DEVELOPMENT.

4. THE REMAINING PORTION THAT IS NOT FUNDED BY THE CITY'S CFD PROGRAM AND IS NOT WITHIN THE STANDARD 60' MINOR COLLECTOR SECTION IS INCLUDED WITHIN THE CFD.

FIGURE 5
CARVER-BANGS SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
AMERICAN AVENUE
MODESTO IRRIGATION DISTRICT LATERAL NO. 6
CULVERT CROSSING AT BANGS AVENUE
(REFERENCE FIGURE 6)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>CLEARING AND GRADING</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$15,000.00</td>
<td>$15,000</td>
</tr>
<tr>
<td>2.</td>
<td>EARTHWORK</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$23,750.00</td>
<td>$23,750</td>
</tr>
<tr>
<td>3.</td>
<td>CAST-IN-PLACE REINFORCED CONCRETE 4.5' x 12' DOUBLE BOX CULVERT</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$125,000.00</td>
<td>$125,000</td>
</tr>
<tr>
<td>4.</td>
<td>INLET STRUCTURE</td>
<td>1</td>
<td>EA</td>
<td>$21,200.00</td>
<td>$21,200</td>
</tr>
<tr>
<td>5.</td>
<td>OUTLET STRUCTURE</td>
<td>1</td>
<td>EA</td>
<td>$21,200.00</td>
<td>$21,200</td>
</tr>
<tr>
<td>6.</td>
<td>FENCING</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$4,370.00</td>
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<tr>
<td>7.</td>
<td>UTILITY RELOCATION</td>
<td>1</td>
<td>EST</td>
<td>$10,000.00</td>
<td>$10,000</td>
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<td></td>
<td>CONSTRUCTION TOTAL</td>
<td></td>
<td></td>
<td></td>
<td>$220,520</td>
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<td>15% CONTINGENCY</td>
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<td>$33,078</td>
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<td>TOTAL CONSTRUCTION FOR AMERICAN AVENUE CULVERT CROSSING</td>
<td></td>
<td></td>
<td></td>
<td>$253,598</td>
</tr>
<tr>
<td>B. FEES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>ENGINEERING (5% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$15,215.88</td>
<td>$15,216</td>
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<tr>
<td>2.</td>
<td>STAKING (3% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$7,607.94</td>
<td>$7,608</td>
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<tr>
<td>3.</td>
<td>CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
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<td>EST</td>
<td>$10,143.92</td>
<td>$10,144</td>
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<tr>
<td>4.</td>
<td>GEOTECHNICAL</td>
<td>1</td>
<td>EST</td>
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<td>$5,000</td>
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<tr>
<td>5.</td>
<td>MID PERMITTING</td>
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<td>EST</td>
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<td>TOTAL FEES</td>
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<td></td>
<td></td>
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<td>GRAND TOTAL</td>
<td></td>
<td></td>
<td></td>
<td>$295,066</td>
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</table>

NOTES:
1. THE ABOVE ESTIMATE INCLUDES THE COST TO INSTALL AN ULTIMATE CROSSING TO ACCOMMODATE THE 64' ULTIMATE AMERICAN AVENUE CROSS SECTION AS SHOWN ON EXHIBIT 4-5 OF THE ADOPTED CARVER BANGS SPECIFIC PLAN.
M.I.D. LATERAL NO. 6
AMERICAN AVENUE CANAL CROSSING

PROPOSED AMERICAN AVENUE M.I.D. LATERAL NO. 6 CANAL CROSSING AT BANG AVENUE

FIGURE 6
CARVER-BANGS SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
CLASS I BIKE TRAIL
AND
PEDESTRIAN ACCESS CROSSING OF
MODESTO IRRIGATION DISTRICT LATERAL NO. 6
(REFERENCE FIGURE 7)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. DESIGN PARAMETERS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>INSTALL 12' BIKE TRAIL SYSTEM (8' PATH WITH TWO-2' SHOULDER AREAS) IN ACCORDANCE WITH EXHIBIT 4-7 OF THE ADOPTED CARVER BANGS SPECIFIC PLAN</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>TOTAL LENGTH 2180 L.F., OR 0.413 MILES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>THE CITY'S CFF PROGRAM HAS THE FOLLOWING CLASS I BIKE TRAIL COSTS INCLUDED:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Existing CFF Portion</td>
<td>0.413 Miles x $105,600</td>
<td>=</td>
<td>$43,613</td>
<td></td>
</tr>
<tr>
<td>II. CLASS I BIKE TRAIL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>8' BIKE PATH</td>
<td>17,440</td>
<td>SF</td>
<td>$2.00</td>
<td>$34,880</td>
</tr>
<tr>
<td>2.</td>
<td>2' GRAVEL SHOULDER EACH SIDE (2&quot; DECOMPOSED GRANITE)</td>
<td>8,720</td>
<td>SF</td>
<td>$0.30</td>
<td>$2,616</td>
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<td>3.</td>
<td>4-6' FENCE</td>
<td>2,180</td>
<td>LF</td>
<td>$15.00</td>
<td>$34,880</td>
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<tr>
<td>4.</td>
<td>PEDESTRIAN ACCESS CROSSING</td>
<td>LUMP SUM</td>
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<td></td>
<td>CONSTRUCTION TOTAL ====&gt;</td>
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<td>$122,376</td>
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<tr>
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<td>10% CONTINGENCY =====&gt;</td>
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<td></td>
<td></td>
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<tr>
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<td>TOTAL BIKE PATH =====&gt;</td>
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<td></td>
<td></td>
<td>$134,614</td>
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<td>B. FEES</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>1.</td>
<td>ENGINEERING (6% OF CONSTRUCTION TOTAL)</td>
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<td>EST</td>
<td>$8,076.82</td>
<td>$8,077</td>
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<tr>
<td>2.</td>
<td>STAKING (3% OF CONSTRUCTION TOTAL)</td>
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<td>EST</td>
<td>$4,038.41</td>
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<tr>
<td>3.</td>
<td>CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$5,384.54</td>
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<tr>
<td></td>
<td>TOTAL FEES =====&gt;</td>
<td></td>
<td></td>
<td></td>
<td>$17,500</td>
</tr>
<tr>
<td>C. LAND ACQUISITION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>RIGHT-OF-WAY DEDICATION (10' WIDE; ASSUME 2' JOINT USE OF EXISTING MID RIGHT-OF-WAY)</td>
<td>0.50</td>
<td>AC</td>
<td>$65,000.00</td>
<td>$32,500</td>
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<td>2.</td>
<td>RIGHT-OF-WAY ADMINISTRATION</td>
<td>LUMP SUM</td>
<td>LS</td>
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<tr>
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<td>$36,000</td>
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<td>CFF PORTION =====&gt;</td>
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<td></td>
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<td>$43,613</td>
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</tbody>
</table>
CLASS 1 BIKE PATH / PEDESTRIAN ACCESS CROSSING OF M.I.D. NO. 6
PELANDALE-SNYDER
(TAX AREA B)

DETAILED FACILITY COST ESTIMATES
PELANDALE / SNYDER SPECIFIC PLAN AREA (TAX AREA B)  
COMMUNITY FACILITIES  
DISTRICT FORMATION  
COST SUMMARY  

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>STORM DRAINAGE</td>
<td>$4,389,042</td>
</tr>
<tr>
<td>B</td>
<td>DALE ROAD</td>
<td>$531,075</td>
</tr>
<tr>
<td>C</td>
<td>PRESCOTT ROAD</td>
<td>$628,287</td>
</tr>
<tr>
<td>D</td>
<td>TULLY ROAD</td>
<td>$1,011,016</td>
</tr>
<tr>
<td>E</td>
<td>SNYDER AVENUE</td>
<td>$504,283</td>
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<tr>
<td>F</td>
<td>CLASS I BIKE TRAIL</td>
<td>$752,575</td>
</tr>
<tr>
<td>G</td>
<td>FORMATION COSTS</td>
<td>$67,500</td>
</tr>
</tbody>
</table>

**TOTAL CFD COSTS**: $7,945,538

**$7,883,888**

**NOTE:**

1. THE ABOVE TOTAL COSTS DO NOT INCLUDE THE ANNUAL LANDSCAPE MAINTENANCE COSTS FOR THE PLAN AREA. THE ANNUAL LANDSCAPE MAINTENANCE AND ADMINISTRATION COSTS ARE ESTIMATED AT $852 PER NET ACRE.

2. FINAL BIN QUANTITIES MAY INCLUDE MORE DETAILED LINE ITEMS WHICH ARE ALL INCLUSIVE WITHIN LUMP SUM AMOUNTS OR QUANTITIES SHOWN IN THIS DOCUMENT.
PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 1998-2 (CARVER-BANGS/PELANDALE-SNYDER) COUNTY OF STANISLAUS, STATE OF CALIFORNIA
PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 1998-2
(CARVER-BANGS/PELANDALE-SNYDER)
COUNTY OF STANISLAUS, STATE OF CALIFORNIA
PELANDALE-SNYDER SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
STORM DRAIN TRUNK LINES
AND
PROPORTIONATE SHARE OF
STORM DRAIN BASIN AND APPURTENANCES
(REFERENCE FIGURE 1)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>I.</td>
<td>STORM DRAIN TRUNK LINES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.</td>
<td>CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>35&quot; STORM</td>
<td>400</td>
<td>LF</td>
<td>$121.00</td>
<td>$48,400</td>
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<tr>
<td>2.</td>
<td>42&quot; STORM</td>
<td>1,874</td>
<td>LF</td>
<td>$155.00</td>
<td>$290,470</td>
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<tr>
<td>3.</td>
<td>48&quot; STORM</td>
<td>3,661</td>
<td>LF</td>
<td>$161.00</td>
<td>$589,421</td>
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<tr>
<td>4.</td>
<td>54&quot; STORM</td>
<td>5,242</td>
<td>LF</td>
<td>$182.00</td>
<td>$954,044</td>
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<tr>
<td>5.</td>
<td>PROPORTIONATE SHARE 54&quot; TO BASIN</td>
<td>108</td>
<td>LF</td>
<td>$182.00</td>
<td>$19,656</td>
</tr>
<tr>
<td>6.</td>
<td>MANHOLES</td>
<td>29</td>
<td>EA</td>
<td>$5,750.00</td>
<td>$166,750</td>
</tr>
</tbody>
</table>

SUB-TOTAL STORM DRAIN TRUNK LINES = $2,058,741

10% CONTINGENCY = $206,874

TOTAL CONSTRUCTION - STORM DRAIN TRUNK LINES = $2,275,615

II. STORM DRAINAGE BASIN FACILITIES

B. CONSTRUCTION

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>STORM DRAIN BASIN EXCAVATION</td>
<td>100,372</td>
<td>CY</td>
<td>$5.00</td>
<td>$501,862</td>
</tr>
<tr>
<td>2.</td>
<td>STORM DRAIN PUMP STATION</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$389,555.00</td>
<td>$389,555</td>
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<tr>
<td>3.</td>
<td>STORM DRAIN PIPING (PLUS JACK &amp; BORE)</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$21,057.00</td>
<td>$21,057</td>
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<tr>
<td>4.</td>
<td>FENCING</td>
<td>2,890</td>
<td>LF</td>
<td>$16.00</td>
<td>$46,240</td>
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<tr>
<td>5.</td>
<td>LANDSCAPING</td>
<td>13,170</td>
<td>SF</td>
<td>$2.80</td>
<td>$36,87</td>
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<td>6.</td>
<td>INLETS</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$7,019.00</td>
<td>$7,019</td>
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<tr>
<td>6.</td>
<td>CLEARING / DISCING / STRIPPING</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$7,019.00</td>
<td>$7,019</td>
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</table>

SUB-TOTAL = $1,109,998
PELANDALE - SNYDER STORM DRAIN FACILITIES

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>C. FEES</td>
<td>ENGINEERING</td>
<td>1</td>
<td>EST</td>
<td>$70,192.00</td>
<td>$70,192</td>
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<tr>
<td></td>
<td>STAKING</td>
<td>1</td>
<td>EST</td>
<td>$34,746.00</td>
<td>$34,746</td>
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<tr>
<td></td>
<td>CONSTRUCTION MANAGEMENT</td>
<td>1</td>
<td>EST</td>
<td>$46,796.00</td>
<td>$46,796</td>
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<td></td>
<td>GEOTECHNICAL</td>
<td>1</td>
<td>EST</td>
<td>$12,635.00</td>
<td>$12,635</td>
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<tr>
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<td>TOTAL FEES</td>
<td></td>
<td></td>
<td>$164,369</td>
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</table>

D. LAND ACQUISITION

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. LAND PURCHASE</td>
<td>70.39% OF TOTAL COST OF $1,030,239</td>
<td></td>
<td></td>
<td>$725,185</td>
<td></td>
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<tr>
<td>2. ADMINISTRATION</td>
<td>LUMP SUM LS</td>
<td></td>
<td></td>
<td>$2,875.00</td>
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<td></td>
<td>TOTAL LAND ACQUISITION</td>
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<td></td>
<td>$728,060</td>
<td></td>
</tr>
<tr>
<td></td>
<td>PELANDALE - SNYDER STORM DRAIN FACILITIES TOTAL</td>
<td></td>
<td></td>
<td>$4,329,042</td>
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</tbody>
</table>

NOTES:

1. THE PELANDALE-SNYDER PROPORTIONATE SHARE OF THE STORM DRAIN BASIN AND APPURtenances WAS DERIVED FROM A PER GROSS ACRE SHARE. THE FOLLOWING REPRESENTS THE FORMULA USED FOR CONSTRUCTION AND FEES:

   A. GROSS ACREAGE SUMMARY

   PELANDALE / SNYDER
   CARVER / BANGS

   TOTAL GROSS ACRES = 509.26

   B. PELANDALE / SNYDER PROPORTIONATE SHARE

   $357.46 / 509.26 = 70.19%

2. STORM DRAIN TRUNK LINE AND BASIN SIZING WERE TAKEN FROM THE PELANDALE-SNYDER A CARVER-BANGS STORM DRAINAGE SYSTEM PLANS DATED AUGUST 9, 1998 PREPARED BY MID VALLEY ENGINEERING, INC.

3. STORM DRAIN BASIN EXCAVATION INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING: PIPE DRAINS, SPLASH PADS, LOW FLOW CHANNEL AND ROCK TRENCH, A.C. PAVING, DISPOSAL AR GROUND PREPARATION, 6" A.C. BERMS, AND REMOVAL OF EXISTING IRRIGATION LINES.
PELANDALE-SNYDER SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
DALE ROAD (CENTER 20' C.L. TO C.L.)
AND EAST SIDE DALE ROAD FRONTAGE IMPROVEMENTS
Snyder Avenue to Pelandale Avenue (1,350' C.L. TO C.L.)
(REFERENCE FIGURE 2)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. DALE ROAD CENTER 20 FEET</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. SAWCUT AND REMOVE EXISTING PAVEMENT</td>
<td>26,400</td>
<td>SF</td>
<td>$1.50</td>
<td>$39,600</td>
<td></td>
</tr>
<tr>
<td>2. MEDIAN CURB</td>
<td>2,690</td>
<td>LF</td>
<td>$15.00</td>
<td>$40,350</td>
<td></td>
</tr>
<tr>
<td>3. MEDIAN COVER</td>
<td>17,520</td>
<td>SF</td>
<td>$3.50</td>
<td>$61,320</td>
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</tr>
</tbody>
</table>
| 4. PAVEMENT (0.50' A.C. OVER 0.65' A.B., T.I. = 10;
R.V. = 50) | 5,280 | SF | $2.00 | $10,560 |
| 5. STRIPING | LUMP SUM | LS | $5,000.00 | $5,000 |
| | | | | | |
| CONSTRUCTION TOTAL | | | | | $156,830 |
| 10% CONTINGENCY | | | | | $15,683 |
| TOTAL DALE ROAD CONSTRUCTION | | | | | $172,513 |
| B. FEES | | | | | |
| 1. ENGINEERING (6% OF CONSTRUCTION TOTAL) | 1 | EST | $10,350.78 | $10,351 |
| 2. STAKING (3% OF CONSTRUCTION TOTAL) | 1 | EST | $5,175.39 | $5,175 |
| 3. CONSTRUCTION MANAGEMENT (4% OF
CONSTRUCTION TOTAL) | 1 | EST | $6,900.52 | $6,901 |
| | | | | | TOTAL FEES | $22,427 |
| DALE ROAD CENTER 20 FEET GRAND TOTAL | | | | | $194,940 |
II. EAST SIDE DALE ROAD FRONTAGE IMPROVEMENTS

A. CONSTRUCTION

1. CLEARING AND GRADING 30,492 SF $0.80 $18,295

2. PAVEMENT (0.50' A.C. OVER 0.65' A.B., T.I. = 10, R.V. = 50) 22,104 SF $2.00 $44,208

3. STORM DRAINAGE
   a. 12' STORM DRAIN 800 LF $30.00 $24,000
   b. 15' STORM DRAIN 420 LF $37.00 $15,540
   c. CATCH BASINS 2 EA $1,000.00 $2,000
   d. 12' CATCH BASIN RUNS 100 LF $30.00 $3,000
   e. MANHOLES 2 EA $2,000.00 $4,000

4. 10' SIDEWALK WITH TREEWELL AND VINE BLOCKOUTS 12,300 SF $3.00 $36,900

5. 6' VERTICAL CURB AND GUTTER 1,230 LF $9.00 $11,070

6. RETURN AT PELANDALE AVENUE 1 EA $1,000.00 $1,000

7. ELECTROLIERS 3 EA $3,500.00 $10,500

8. LANDSCAPING (12' WIDE STRIP) 14,760 SF $2.60 $38,368

9. SIGNAGE AND STRIPING (5% OF GRADING AND PAVEMENT COSTS)
   LUMP SUM $3,125.16 $3,125.16

10. TRAFFIC CONTROL LUMP SUM $4,500.00 $4,500

11. TRAFFIC SIGNAL INTERCONNECT 1,230 LF $10.00 $12,300

12. PRIMECOAT 22,104 SF $0.02 $442

CONSTRUCTION TOTAL ======> $232,208

10% CONTINGENCY ======> $23,221

TOTAL DALE ROAD CONSTRUCTION ======> $255,429

B. FEES

1. ENGINEERING (6% OF CONSTRUCTION TOTAL) 1 EST $15,325.76 $15,325.76

2. STAKING (3% OF CONSTRUCTION TOTAL) 1 EST $7,662.88 $7,662.88

3. CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL) 1 EST $10,217.17 $10,217

TOTAL FEES ======> $33,206

C. LAND ACQUISITION

1. RIGHT-OF-WAY DEDICATION 0.70 AC $55,000.00 $45,500

2. RIGHT-OF-WAY ADMINISTRATION LUMP SUM $2,000.00 $2,000

TOTAL LAND ACQUISITION ======> $47,500

DALE ROAD FRONTAGE LAND TOTAL ======> $336,129

DALE ROAD FRONTAGE TOTAL ======> $383,629

NOTE:
NOTE: MATCH EXISTING PAVEMENT PER CITY STANDARDS
Snyder Avenue to Pelandale Avenue

Figure 2
PELANDALE-SNYDER SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
PRESCOTT ROAD
WEST SIDE FRONTAGE IMPROVEMENTS ADJACENT
TO STORM DRAIN BASIN
AND EAST SIDE FRONTAGE IMPROVEMENTS
PELANDALE AVENUE TO SNYDER AVENUE (1,316' C.L. TO C.L.)
(REFERENCE FIGURE 3)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
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<tr>
<td>I.</td>
<td>PRESCOTT ROAD WEST SIDE FRONTAGE IMPROVEMENTS (ADJACENT TO STORM DRAIN BASINS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A. CONSTRUCTION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>CLEARING AND GRADING</td>
<td>37,530</td>
<td>SF</td>
<td>$0.60</td>
<td>$22,518</td>
</tr>
<tr>
<td>2.</td>
<td>PAVEMENT (0.50' A.C. OVER 0.65' A.B., T.I. = 10 R.V. = 50)</td>
<td>18,525</td>
<td>SF</td>
<td>$2.00</td>
<td>$37,050</td>
</tr>
<tr>
<td>3.</td>
<td>2&quot; A.C. OVERLAY (EXISTING INTERIM PRESCOTT)</td>
<td>17,100</td>
<td>SF</td>
<td>$0.60</td>
<td>$10,260</td>
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<tr>
<td>4.</td>
<td>STORM DRAINAGE</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>a.</td>
<td>CATCH BASINS</td>
<td>2</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$2,000</td>
</tr>
<tr>
<td>b.</td>
<td>12&quot; CATCH BASIN RUNS (50 L.F. PER C.B.)</td>
<td>100</td>
<td>LF</td>
<td>$30.00</td>
<td>$3,000</td>
</tr>
<tr>
<td>c.</td>
<td>MANHOLES</td>
<td>1</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$2,000</td>
</tr>
<tr>
<td>5.</td>
<td>6&quot; VERTICAL CURB AND GUTTER</td>
<td>1,200</td>
<td>LF</td>
<td>$9.00</td>
<td>$10,800</td>
</tr>
<tr>
<td>6.</td>
<td>10' SIDEWALK</td>
<td>12,000</td>
<td>SF</td>
<td>$3.00</td>
<td>$36,000</td>
</tr>
<tr>
<td>7.</td>
<td>RETURNS</td>
<td>2</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$2,000</td>
</tr>
<tr>
<td>8.</td>
<td>ELECTROLIERS</td>
<td>4</td>
<td>EA</td>
<td>$3,500.00</td>
<td>$14,000</td>
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<tr>
<td>9.</td>
<td>PRIMECOAT</td>
<td>18,525</td>
<td>SF</td>
<td>$0.02</td>
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<tr>
<td><strong>CONSTRUCTION TOTAL</strong></td>
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<td></td>
<td></td>
<td></td>
<td>$139,999</td>
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<tr>
<td>10% CONTINGENCY</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$14,000</td>
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<tr>
<td><strong>TOTAL PRESCOTT ROAD CONSTRUCTION</strong></td>
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<td></td>
<td></td>
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<td>$153,998</td>
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**B. FEES**

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
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<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>ENGINEERING (6% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$9,239.90</td>
<td>$9,240</td>
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<tr>
<td>2.</td>
<td>STAKING (3% OF CONSTRUCTION TOTAL)</td>
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<td>EST</td>
<td>$4,619.95</td>
<td>$4,690</td>
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<tr>
<td>3.</td>
<td>CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$6,159.93</td>
<td>$6,160</td>
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<td><strong>TOTAL FEES</strong></td>
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<td></td>
<td></td>
<td></td>
<td>$20,020</td>
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**C. LAND ACQUISITION**

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>RIGHT-OF-WAY DEDICATION</td>
<td>1.20</td>
<td>AC</td>
<td>$65,000.00</td>
<td>$78,000</td>
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<tr>
<td>2.</td>
<td>RIGHT-OF-WAY ADMINISTRATION</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$2,000.00</td>
<td>$2,000</td>
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<tr>
<td><strong>TOTAL LAND ACQUISITION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$80,000</td>
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</table>
Pelandale-Snyder Specific Plan Area  
Community Facilities District  
Preliminary Engineer's Estimate  
October 23, 1998

<table>
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<tr>
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<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
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<tr>
<td>II.</td>
<td>PRESCOTT ROAD EAST SIDE FRONTAGE IMPROVEMENTS</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>A.</td>
<td>CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>CLEARING AND GRADING</td>
<td>37,530</td>
<td>SF</td>
<td>$0.60</td>
<td>$22,518</td>
</tr>
<tr>
<td>2.</td>
<td>PAVEMENT (0.50' A.C. OVER 0.55' A.B., T.I. = 10 R.V. = 50)</td>
<td>41,400</td>
<td>SF</td>
<td>$2.00</td>
<td>$82,800</td>
</tr>
<tr>
<td>3.</td>
<td>STORM DRAINAGE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a.</td>
<td>CATCH BASINS</td>
<td>2</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$2,000</td>
</tr>
<tr>
<td>b.</td>
<td>12&quot; CATCH BASIN RUNS</td>
<td>100</td>
<td>LF</td>
<td>$30.00</td>
<td>$3,000</td>
</tr>
<tr>
<td>c.</td>
<td>MANHOLES</td>
<td>1</td>
<td>EA</td>
<td>$2,000.00</td>
<td>$2,000</td>
</tr>
<tr>
<td>4.</td>
<td>6&quot; VERTICAL CURB AND GUTTER</td>
<td>1,200</td>
<td>LF</td>
<td>$9.00</td>
<td>$10,800</td>
</tr>
<tr>
<td>5.</td>
<td>10' SIDEWALK WITH TREETWELL AND VINE BLOCKOUTS</td>
<td>12,000</td>
<td>SF</td>
<td>$3.00</td>
<td>$36,000</td>
</tr>
<tr>
<td>6.</td>
<td>RETURNS</td>
<td>4</td>
<td>EA</td>
<td>$300.00</td>
<td>$1,200</td>
</tr>
<tr>
<td>7.</td>
<td>ELECTROLIERS</td>
<td>3</td>
<td>EA</td>
<td>$3,500.00</td>
<td>$10,500</td>
</tr>
<tr>
<td>8.</td>
<td>LANDSCAPING (12' WIDE STRIP)</td>
<td>14,400</td>
<td>SF</td>
<td>$2.60</td>
<td>$36,000</td>
</tr>
<tr>
<td>9.</td>
<td>SIGNAGE AND STRIPING</td>
<td>1</td>
<td>EST</td>
<td>$5,256.90</td>
<td>$5,256</td>
</tr>
<tr>
<td>10.</td>
<td>TRAFFIC CONTROL</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$2,500.00</td>
<td>$2,500</td>
</tr>
<tr>
<td>11.</td>
<td>TRAFFIC SIGNAL INTERCONNECT</td>
<td>1,200</td>
<td>LF</td>
<td>$10.00</td>
<td>$12,000</td>
</tr>
<tr>
<td>12.</td>
<td>PRIMECOAT</td>
<td>41,400</td>
<td>SF</td>
<td>$0.02</td>
<td>$828</td>
</tr>
</tbody>
</table>

CONSTRUCTION TOTAL =====> $233,732

10% CONTINGENCY =====> $23,373

TOTAL PRESCOTT ROAD CONSTRUCTION =====> $257,105

B. FEES | | | | | |
| 1. | ENGINEERING (6% OF CONSTRUCTION TOTAL) | 1 | EST | $15,426.31 | $15,426 |
| 2. | STAKING (3% OF CONSTRUCTION TOTAL) | 1 | EST | $7,713.15 | $7,713 |
| 3. | CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL) | 1 | EST | $10,284.20 | $10,284 |

TOTAL FEES =====> $33,424

C. LAND ACQUISITION | | | | | |
| 1. | RIGHT-OF-WAY DEDICATION | 1.25 | AC | $65,000.00 | $81,250 |
| 2. | RIGHT-OF-WAY ADMINISTRATION | LUMP SUM | LS | $2,500.00 | $2,500 |

TOTAL LAND ACQUISITION =====> $83,750

PRESCOTT ROAD EAST SIDE FRONTAGE TOTAL =====> $374,279

PRESCOTT ROAD GRAND TOTAL =====> $628,297
NOTES:

1. THE ABOVE ESTIMATE ASSUMES THE PHASE 1A INTERIM PELANDALE AVENUE WILL BE CONSTRUCTED ON THE WEST SIDE OF PRESCOTT AND A PORTION OF THE IMPROVEMENTS (APPROXIMATELY 650 L.F. FROM THE SNYDER INTERSECTION) WILL BE REMOVED FOR THE ULTIMATE IMPROVEMENTS. THE REMAINING INTERIM SECTION IS ASSUMED TO REMAIN AND BE OVERLAYED WITH 2" A.C.

2. THE ABOVE ESTIMATE DOES NOT INCLUDE THE CENTER 20' PORTION OF PRESCOTT ROAD SINCE IT IS INCLUDED IN THE CFF PROGRAM.

3. THE ABOVE ESTIMATE DOES NOT INCLUDE THE MAINLINE STORM DRAIN IMPROVEMENTS SINCE THOSE COSTS ARE INCLUDED WITH THE STORM DRAIN COMPONENT OF THE CFD.

4. THE ABOVE ESTIMATE INCLUDES ALL NECESSARY CATCH BASINS. THIS CATCH BASIN ESTIMATE WAS TAKEN DIRECTLY FROM THE APPROVED "ALMOND VALLEY SUBDIVISION" IMPROVEMENT PLANS.

5. THE R-VALUE ASSUMPTIONS WERE DERIVED FROM SOILS REPORTS PREPARED BY KLEINFELDER, INC. FOR THE FOLLOWING SUBDIVISIONS: KENSINGTON PARK, TUSCANY, EASTPORT AND ALMOND VALLEY.
PRESCOTT ROAD

R.O.W. AT MID-BLOCK

50' RAISED MEDIAN

10' 32' 8' 8' 32' 10'

50'

STORM DRAIN BASH

INTERW PRESCOTT ROAD

40'

CFD

PLUS MIDDINGNS

20' C.F.D

OFF

2" A.C. OVERLAY (CFD) PLUS MIDDINGNS

Snyder Avenue to Pelandale Avenue

FIGURE 3
PELANDALE-SNYDER: SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
TULLY ROAD FRONTAGE IMPROVEMENTS (BOTH SIDES)
FROM EXISTING
MODESTO IRRIGATION DISTRICT LATERAL NO. 6
TO PELANDALE AVENUE (1,450' C.L. TO C.L.)
TULLY ROAD (CENTER 34 FEET) NOT FUNDED BY CFF
AND
TULLY / SNYDER TRAFFIC SIGNAL
(REFERENCE FIGURE 4)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
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<tr>
<td>I. TULLY ROAD FRONTAGE IMPROVEMENTS (BOTH SIDES, 114 FOOT RIGHT-OF-WAY)</td>
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<td>A. CONSTRUCTION</td>
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<td>2. PAVEMENT (0.50' A.C. OVER 0.65' A.B., T.I. = 10, R.V. = 50)</td>
<td>81,410</td>
<td>SF</td>
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<td>$162,820</td>
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<td>3. STORM DRAINAGE</td>
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<tr>
<td>a. CATCH BASINS</td>
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<td>EA</td>
<td>$1,000.00</td>
<td>$4,000</td>
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<tr>
<td>b. 12&quot; STORM DRAIN</td>
<td>600</td>
<td>LF</td>
<td>$30.00</td>
<td>$18,000</td>
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<tr>
<td>c. 12&quot; CATCH BASIN RUNS</td>
<td>200</td>
<td>LF</td>
<td>$30.00</td>
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<td>d. MANHOLES</td>
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<td>EA</td>
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<td>4. 6&quot; VERTICAL CURB AND GUTTER</td>
<td>2,432</td>
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<td>5. 10' SIDEWALK</td>
<td>24,320</td>
<td>SF</td>
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<td>6. REMOVE EXISTING CURB, GUTTER AND SIDEWALK ALONG EXISTING IMPROVEMENTS EAST SIDE OF TULLY ROAD</td>
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<td>LF</td>
<td>$20.00</td>
<td>$14,340</td>
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<tr>
<td>7. CLEARING, GRADING AND DEMOLITION ALONG EXISTING IMPROVEMENTS EAST SIDE OF TULLY ROAD (LANDSCAPING, IRRIGATION, ETC.)</td>
<td>LUMP SUM</td>
<td>LS</td>
<td>$20,000.00</td>
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<td>9. SIGNAGE AND STRIPING</td>
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<td>(5% OF GRADING AND PAVEMENT COST)</td>
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<td>EST</td>
<td>$10,758.36</td>
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<td>10. TRAFFIC CONTROL</td>
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<td>11. TRAFFIC SIGNAL INTERCONNECT (ONE SIDE ONLY)</td>
<td>1,400</td>
<td>LF</td>
<td>$10.00</td>
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<td>12. RELOCATE OVERHEAD POWER LINES</td>
<td>4</td>
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<td>13. LANDSCAPING (12' WIDE STRIP BOTH SIDES)</td>
<td>36,996</td>
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<td>$2.80</td>
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<td>14. PRIMECOAT</td>
<td>8410</td>
<td>SF</td>
<td>$0.02</td>
<td>$1,628</td>
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CONSTRUCTION TOTAL =====> $574,830

15% CONTINGENCY =====> $86,225
Pelandale-Snyder Specific Plan Area  
Community Facilities District  
Preliminary Engineer’s Estimate  
October 23, 1998

### ITEM DESCRIPTION QUAN. UNIT UNIT COST AMOUNT

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<thead>
<tr>
<th>B. FEES</th>
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<tbody>
<tr>
<td>1. ENGINEERING (6% OF CONSTRUCTION TOTAL)</td>
<td>1 EST</td>
</tr>
<tr>
<td>2. STAKING (3% OF CONSTRUCTION TOTAL)</td>
<td>1 EST</td>
</tr>
<tr>
<td>3. CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
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<table>
<thead>
<tr>
<th>C. LAND ACQUISITION</th>
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</thead>
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<tr>
<td>1. RIGHT-OF-WAY DEDICATION</td>
<td>0.776 AC</td>
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<tr>
<td>2. RIGHT-OF-WAY ADMINISTRATION</td>
<td>LUMP SUM LS</td>
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<tr>
<td><strong>TOTAL LAND ACQUISITION</strong></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL TULLY ROAD FRONTAGE</strong></td>
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### II. TULLY ROAD (CENTER 34 FEET) NOT FUNDED BY CFF

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<th>A. CONSTRUCTION</th>
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<tr>
<td>1. SAWCUT AND REMOVE EXISTING PAVEMENT</td>
<td>27,360 SF</td>
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<td>2. MEDIAN CURB</td>
<td>3,090 LF</td>
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<tr>
<td>3. MEDIAN LANDSCAPING</td>
<td>23,120 SF</td>
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<td>4. PAVEMENT (0.50 A.C., OVER 0.65’ A.B.; T.I. = 10, R.V. = 50)</td>
<td>27,360 SF</td>
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<td>5. STRIPING</td>
<td>LUMP SUM LS</td>
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<tr>
<td>10% CONTINGENCY</td>
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<tr>
<td><strong>TOTAL CONSTRUCTION FOR TULLY ROAD CENTER 34' FEET</strong></td>
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</table>

<table>
<thead>
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<th>B. FEES</th>
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</tr>
</thead>
<tbody>
<tr>
<td>1. ENGINEERING (6% OF CONSTRUCTION TOTAL)</td>
<td>1 EST</td>
</tr>
<tr>
<td>2. STAKING (3% OF CONSTRUCTION TOTAL)</td>
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</tr>
<tr>
<td>3. CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
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<tr>
<td><strong>TOTAL FEES</strong></td>
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<td><strong>TOTAL TULLY ROAD CENTER 34 FEET</strong></td>
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<tr>
<td><strong>TOTAL AMOUNT FUNDED BY CFF</strong></td>
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<tr>
<td><strong>TOTAL TULLY ROAD (CENTER 34 FEET) FUNDED BY PELANDALE-SNYDER CFD</strong></td>
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### III. TRAFFIC SIGNALS AT TULLY ROAD AND SNYDER AVENUE

<table>
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<th>A. CONSTRUCTION</th>
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<tbody>
<tr>
<td><strong>LUMP SUM LS</strong></td>
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</table>
### B. FEES

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
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<tr>
<td>1.</td>
<td>ENGINEERING (6% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$7,800.00</td>
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<tr>
<td>2.</td>
<td>STAKING (3% OF CONSTRUCTION TOTAL)</td>
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<td>EST</td>
<td>$3,900.00</td>
<td>$3,900</td>
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<tr>
<td>3.</td>
<td>CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$5,200.00</td>
<td>$5,200</td>
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TOTAL FEES ===> $16,900

TOTAL TRAFFIC SIGNAL TULLY AND SNYDER ===> $146,900

TULLY ROAD GRAND TOTAL ===> $1,011,015

### NOTES:

1. THIS ESTIMATE ITEM II IS FOR THE ENTIRE COST OF THE CENTER 34 FEET OF TULLY ROAD IMPROVEMENTS. THE CENTER 34 FEET OF IMPROVEMENTS ON TULLY ROAD ARE FUNDED BY THE CFD PROGRAM, HOWEVER, THE FUNDS ARE NOT AVAILABLE FOR THE ENTIRE PROJECT SO A PORTION OF THE PROJECT NOT FUNDED BY CFD WILL BE FUNDED BY THE PELANDALE-SNYDER CFD.

2. THIS ESTIMATE IS BASED ON THE ASSUMPTION THAT THE CENTER 26+/= FEET OF EXISTING PAVEMENT WILL REMAIN AND ADJACENT DEVELOPMENT WILL BE REQUIRED TO MATCH EXISTING PAVEMENT.

3. THE ABOVE COST ESTIMATE INCLUDES THE COST FOR IMPROVEMENTS FROM THE NORTH SIDE OF THE MODESTO IRRIGATION DISTRICT LATERAL TO PELANDALE AVENUE.

4. THE TULLY ROAD IMPROVEMENTS INCLUDE A COST TO REMOVE AND REPLACE THE EXISTING IMPROVEMENTS ALONG THE BIG VALLEY GRACE COMMUNITY CHURCH FRONTAGE (50' EXISTING TO 57' CITY STANDARD) TO BRING THE CROSS SECTION TO CITY STANDARD. HOWEVER, SPECIFIC DECELERATION OR ACCELERATION LANES WHICH ARE SITE SPECIFIC IMPROVEMENTS ARE NOT INCLUDED IN THE ESTIMATE.

5. THE RIGHT-OF-WAY COSTS ARE THE REQUIRED DEDICATIONS FOR RIGHT-OF-WAY BEYOND THE ALREADY EXISTING DEDICATIONS.

6. THE R-VALUE ASSUMPTIONS WERE DERIVED FROM SOILS REPORTS PREPARED BY KLEINFELDER, INC. FOR THE FOLLOWING SUBDIVISIONS: KENSINGTON PARK, TUSCANY, EASTPORT AND ALMOND VAl
PELANDALE-SNYDER SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
Snyder Avenue
North Side adjacent to Storm Drain Basin,
West of Prescott Road (352'), South Side
Adjacent to Bike Trail from
Prescott Road to Carver Road (2,639' C.L. to C.L.)
(Reference Figures-5, 5A, 5B, and 5C)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>UNIT COST</th>
<th>AMOUNT</th>
</tr>
</thead>
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<tr>
<td>I. Snyder Avenue adjacent to Storm Drain Basin</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. CONSTRUCTION</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>1. Clearing and Grading</td>
<td>4,960</td>
<td>SF</td>
<td>$0.35</td>
<td>$1,736</td>
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<tr>
<td>2. Pavement (0.40' A.C. over 0.55' A.B., T.I. = 8 R.V. = 46)</td>
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<td>$2.00</td>
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<td>4. 5' Sidewalk</td>
<td>1,760</td>
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<td>a. 12&quot; Storm Drain</td>
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<tr>
<td>b. Catch Basin</td>
<td>1</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$1,000</td>
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<tr>
<td>c. Storm Manhole</td>
<td>1</td>
<td>EA</td>
<td>$2,500.00</td>
<td>$2,500</td>
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<tr>
<td>6. Signing / Striping (5% of Grading and Pavement Cost)</td>
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<td>TOTAL SNYDER AVENUE ADJACENT TO STORM DRAIN BASIN CONSTRUCTION</td>
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<td>B. FEES</td>
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<td>TOTAL FEES</td>
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<td>C. LAND ACQUISITION</td>
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<td>1. Right-of-Way Dedication</td>
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<td>TOTAL LAND ACQUISITION</td>
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Snyder Avenue adjacent to the Storm Drain Basin TOTAL | | | | | $52,743 |
### II. SNYDER AVENUE SOUTH SIDE ADJACENT TO BIKE TRAIL

#### A. CONSTRUCTION

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<th>Unit</th>
<th>Unit Cost</th>
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<td>2. Pavement (0.40' A.C. over 0.55' A.B.; T.I. = 8, R.V. = 48)</td>
<td>47,020 SF</td>
<td>$2.00</td>
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<td>3. Pavement Removal</td>
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<td>4. 6&quot; Vertical Curb and Gutter</td>
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<td>$22,842</td>
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<td>5. Storm Drainage</td>
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<td>a. 12&quot; Catch Basin Runs</td>
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<td>5 EA</td>
<td>$1,000</td>
<td>$5,000</td>
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<tr>
<td>c. Storm Manhole</td>
<td>5 EA</td>
<td>$2,500</td>
<td>$12,500</td>
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<td>6. Electroliers (660' Intervals)</td>
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<td>(5% of Grading and Pavement Cost)</td>
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**Construction Total ===========** $278,633

**10% Contingency ===========** $27,863

**Total Snyder Avenue Adjacent to Bike Trail Construction ===========** $306,496

#### B. FEES

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<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Quan.</th>
<th>Unit Cost</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Engineering (6% of Construction Total)</td>
<td>1 EST</td>
<td>$18,390</td>
<td>$18,390</td>
<td></td>
</tr>
<tr>
<td>2. Staking (3% of Construction Total)</td>
<td>1 EST</td>
<td>$9,195</td>
<td>$9,195</td>
<td></td>
</tr>
<tr>
<td>3. Construction Management (4% of Construction Total)</td>
<td>1 EST</td>
<td>$12,260</td>
<td>$12,260</td>
<td></td>
</tr>
</tbody>
</table>

**Total Fees ===========** $39,844

#### C. LAND ACQUISITION

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Quan.</th>
<th>Unit Cost</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Right-of-Way Dedication</td>
<td>1.58 AC</td>
<td>$65,000</td>
<td>$102,700</td>
<td></td>
</tr>
<tr>
<td>2. Right-of-Way Administration</td>
<td>Lump Sum LS</td>
<td>$2,500</td>
<td>$2,500</td>
<td></td>
</tr>
</tbody>
</table>

**Total Land Acquisition ===========** $105,200

**Snyder Avenue Adjacent to the Bike Trail Total ===========** $451,541

**Snyder Avenue Grand Total ===========** $504,283
NOTES:

A. SNYDER AVENUE ADJACENT TO STORM DRAIN BASIN

1. THE SNYDER AVENUE IMPROVEMENTS ADJACENT TO THE STORM DRAINAGE BASIN, INCLUDE THE COST FOR IMPROVEMENT FROM THE WEST SIDE OF THE PROPOSED BASIN PROPERTY TO THE RETURN AT PRESCOTT ROAD.

2. THE RIGHT-OF-WAY COSTS IS THE AREA OF DEDICATION REQUIRED ASSUMING AN EXISTING 20 FOOT DEDICATION ON THE NORTH SIDE OF SNYDER AVENUE.

B. SNYDER AVENUE SOUTH SIDE ADJACENT TO BIKE TRAIL

1. THE SNYDER AVENUE IMPROVEMENTS INCLUDE THE COSTS FOR ROADWAY IMPROVEMENTS (EXCLUDING BIKE TRAIL) SOUTH OF THE CENTERLINE (20') FROM PRESCOTT ROAD TO CARVER ROAD.

2. THE RIGHT-OF-WAY AREA TO BE INCLUDED WITHIN THIS CFD ALONG SNYDER AVENUE BETWEEN PRESCOTT ROAD AND CARVER ROAD IS AS FOLLOWS:

A. VARYING RIGHT-OF-WAY WIDTH FROM 1.8 +/- FEET TO 12.5 +/- FEET FROM THE PROPOSED NEW SNYDER AVENUE CENTERLINE TO THE EXISTING SNYDER AVENUE DEDICATION.

B. 20' WIDTH RIGHT-OF-WAY FROM PROPOSED NEW SNYDER CENTERLINE NORTH. ADJACENT DEVELOPMENT WOULD BE RESPONSIBLE FOR A 10 FOOT WIDTH RIGHT-OF-WAY DEDICATION ALONG THE NORTH SIDE OF SNYDER AVENUE.

3. NO "MAINLINE" STORM DRAIN IMPROVEMENTS ARE INCLUDED SINCE THOSE COSTS ARE INCLUDED WITHIN THE STORM DRAIN COMPONENT OF THE C.F.D.

4. NO COSTS ARE INCLUDED IN THIS ESTIMATE FOR THE CLASS I BIKE TRAIL ADJACENT TO SNYDER AVENUE.

5. THE PAVEMENT REMOVAL QUANTITIES INCLUDES THE COST TO REMOVE THE ENTIRE EXISTING PAVEMENT SECTION FROM PRESCOTT ROAD TO CARVER ROAD.

6. THIS ESTIMATE INCLUDES A COST TO ABANDON EXISTING STORM DRAIN PUMP STATION NO. 47 ASSUMING CONNECTION TO THE POSITIVE STORM DRAIN SYSTEM.

7. NO COST FOR EXISTING POWER POLE RELOCATION IS INCLUDED IN COSTS.

8. THE R-VALUE ASSUMPTIONS WERE DERIVED FROM SOILS REPORTS PREPARED BY KLEINFELDER INC. FOR THE FOLLOWING SUBDIVISIONS: KENSINGTON PARK, TUSCANY, EASTPORT AND ALMOND VALLEY.
SNYDER AVENUE

SNYDER AVENUE ADJACENT TO STORM DRAIN BASIN (SEC. A)

NOTES:
1) MATCH EXISTING PAVEMENT PER CITY STANDARDS

PROPOSED STREET IMPROVEMENTS AND BIKE TRAIL IMPROVEMENTS INCLUDED WITHIN CFD (REFER TO BIKE TRAIL SECTION FOR BIKES TRAIL COSTS AND IMPROVEMENTS)

CARVER ROAD TO PRESCOTT ROAD (SEC. B)

NOTES:
1. REFER TO FIGURE 5A FOR A DETAILED CROSS SECTION OF THE PROPOSED NEW SNYDER ALIGNMENT
2. REFER TO FIGURE 5B FOR RIGHT OF WAY TAKE SUMNARY
3. REFER TO FIGURE 5C FOR PRESCOTT SNYDER INTERSECTION DETAIL

FIGURE 5
TYPICAL SECTION ALONG THE M.I.D. RIGHT-OF-WAY BETWEEN
PRESCOTT ROAD AND CARVER ROAD.

PROPOSED SNYDER AVENUE.
PELANDALE-SNYDER SPECIFIC PLAN AREA
COMMUNITY FACILITIES DISTRICT
PRELIMINARY ENGINEER'S ESTIMATE
FOR
BIKE TRAIL SYSTEM
(REFERENCE FIGURE 6)

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Quan.</th>
<th>Unit</th>
<th>Cost</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. DESIGN PARAMETERS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>INSTALL 18' BIKE TRAIL SYSTEM (8' PATH, 10' LANDSCAPING, AND 4-6' FENCE) ALONG SNYDER AVENUE FROM PRESCOTT ROAD TO CARVER ROAD.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>INSTALL 25' BIKE TRAIL SYSTEM (8' PATH, 17' LANDSCAPING, AND 4-6' FENCE) ALONG MODESTO IRRIGATION DISTRICT LATERAL NO. 6 FROM CARVER ROAD TO THE UNION PACIFIC RAILROAD.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>TOTAL LENGTH 8276 L.F. OR 1.567 MILES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>EXISTING CFF PORTION</td>
<td>1.567 MILES</td>
<td>$105,600.00</td>
<td>$165,475</td>
<td></td>
</tr>
<tr>
<td>II. CLASS I BIKE TRAIL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>8' BIKE PATH WITH 2' GRAVEL SHOULDER (8,276 L.F. x 8')</td>
<td>66,208</td>
<td>SF</td>
<td>$2.00</td>
<td>$132,416</td>
</tr>
<tr>
<td>2.</td>
<td>4'-6' FENCE</td>
<td>8,276</td>
<td>LF</td>
<td>$16.00</td>
<td>$132,416</td>
</tr>
<tr>
<td>3.</td>
<td>LANDSCAPING (6' AREA FROM PRESCOTT TO CARVER (2,770 L.F.); 13' AREA FROM CARVER TO UNION PACIFIC RAILROAD (5,506 L.F.))</td>
<td>88,198</td>
<td>SF</td>
<td>$2.80</td>
<td>$246,954</td>
</tr>
<tr>
<td></td>
<td>CONSTRUCTION TOTAL</td>
<td></td>
<td></td>
<td></td>
<td>$511,786</td>
</tr>
<tr>
<td></td>
<td>10% CONTINGENCY</td>
<td></td>
<td></td>
<td></td>
<td>$51,179</td>
</tr>
<tr>
<td></td>
<td>TOTAL BIKE PATH</td>
<td></td>
<td></td>
<td></td>
<td>$562,965</td>
</tr>
<tr>
<td>B. FEES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>ENGINEERING (5% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$33,777.90</td>
<td>$33,778</td>
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<tr>
<td>2.</td>
<td>STAKING (3% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$16,886.95</td>
<td>$16,889</td>
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<tr>
<td>3.</td>
<td>CONSTRUCTION MANAGEMENT (4% OF CONSTRUCTION TOTAL)</td>
<td>1</td>
<td>EST</td>
<td>$22,518.60</td>
<td>$22,519</td>
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<td></td>
<td>TOTAL FEES</td>
<td></td>
<td></td>
<td></td>
<td>$73,185</td>
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</table>
Pelandle-Snyder Community Plan Area
Community Facilities District
Preliminary Engineer's Estimate
October 23, 1998

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QUAN.</th>
<th>UNIT</th>
<th>COST</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>C. LAND ACQUISITION</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. RIGHT-OF-WAY DEDICATION</td>
<td>4.30</td>
<td>AC</td>
<td>$65,000.00</td>
<td>$279,500</td>
</tr>
<tr>
<td></td>
<td>2. RIGHT-OF-WAY ADMINISTRATION</td>
<td>LUMP SUM LS</td>
<td>$2,500.00</td>
<td>$2,500</td>
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<tr>
<td></td>
<td>TOTAL LAND ACQUISITION</td>
<td></td>
<td></td>
<td>$282,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>BIKE PATH GRAND TOTAL</td>
<td></td>
<td></td>
<td>$318,150</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CFF PORTION TOTAL</td>
<td></td>
<td></td>
<td>$165,475</td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL PELANDALE-SNYDER CFD PORTION</td>
<td></td>
<td></td>
<td>$752,675</td>
<td></td>
</tr>
</tbody>
</table>

NOTES:

1. THE RIGHT-OF-WAY AREA TO BE INCLUDED WITHIN THIS CFD ALONG SNYDER AVENUE BETWEEN PRESCOTT ROAD AND CARVER ROAD IS AS FOLLOWS:

   A. VARYING RIGHT-OF-WAY WIDTH FROM 1.8+/- FEET TO 12.5+/- FEET FROM THE PROPOSED NEW SNYDER AVENUE CENTERLINE TO THE EXISTING SNYDER AVENUE DEDICATION.

   B. 20' WIDTH RIGHT-OF-WAY FROM PROPOSED NEW SNYDER CENTERLINE NORTH. ADJACENT DEVELOPMENT WOULD BE RESPONSIBLE FOR A 10 FOOT WIDTH RIGHT-OF-WAY DEDICATION ALONG THE NORTH SIDE OF SNYDER AVENUE.

2. THIS ESTIMATE DOES NOT INCLUDE ANY COSTS ASSOCIATED WITH THE SNYDER AVENUE ROAD IMPROVEMENTS.
BIKE TRAIL ALONG SNYDER AVENUE

NOTE: SEE SNYDER AVENUE CROSS-SECTIONS FIGURE 5A FOR RIGHT-OF-WAY AND STREET IMPROVEMENTS INCLUDED WITHIN THIS CFD.

LEGEND

IMPROVEMENTS:

***** = BIKE TRAIL ALONG SNYDER AVENUE

usch = BIKE TRAIL ALONG M.I.D. LATERAL

BIKE TRAIL ALONG M.I.D. LATERAL

NOTE: SEE SNYDER AVENUE CROSS-SECTIONS FIGURE 5A FOR RIGHT-OF-WAY AND STREET IMPROVEMENTS INCLUDED WITHIN THIS CFD.
Exhibit B
EXHIBIT B

CERTIFICATE OF CITY CLERK

I, JEAN ZAHRL, City Clerk of the City of Modesto, hereby certify that, pursuant to Resolution No. 2003-192, the Resolution calling for the Election, adopted on April 8, 2003 by the City Council of the City of Modesto, I did conduct a Special Tax Election for Community Facilities District No. 1998-2(2) on April 15, 2003, and that the election was conducted by mail or in person at the City Hall of Modesto.

I further certify that the following shows the full text of the measure submitted to the voters at the election and the full and true totals of all votes cast for and against the measure.

Proposition A. Shall a special tax with a maximum rate, method of apportionment, and manner of collection as established in the Resolution of Formation by Res. 98-653 adopted on December 8, 1998, and the amended Public Report dated March 25, 1999 to be considered at public hearing by the City Council of the City of Modesto on April 8, 2003 be levied within the territory proposed to be annexed to Community Facilities District No. 1998-2(2) for the purposes of financing certain public facilities and services as provided in the Public Report?

TOTAL VOTES CAST: YES 20  NO 0

Dated: April 22, 2003

JEAN ZAHRL
City Clerk of the City of Modesto
MODESTO CITY COUNCIL
RESOLUTION NO. 2003-197

A RESOLUTION APPROVING THE FINAL MAP OF THE COVINGTON POINTE SUBDIVISION OF THE CITY OF MODESTO AND AUTHORIZING THE CITY MANAGER TO EXECUTE A SUBDIVISION AGREEMENT WITH MODESTO TULLY INVESTORS, L.P., A CALIFORNIA LIMITED PARTNERSHIP, BY MODESTO TULLY VENTRUES, LLC, A CALIFORNIA LIMITED PARTNERSHIP COMPANY

WHEREAS, MODESTO TULLY INVESTORS, L.P., A CALIFORNIA LIMITED PARTNERSHIP, is possessed of a tract of land situated in the City of Modesto, County of Stanislaus, consisting of 16.82 acres, known as the COVINGTON POINTE ("SUBDIVISION"), in the Pelandale-Snyder Specific Plan Area, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 13th day of November, 2002, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said SUBDIVISION meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the dedications for streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal
Code in amounts determined by the City Engineer have been paid; and after subdivider has furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the City Engineer.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Conrad, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Frohman, Jackman, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Fisher, Keating

ATTEST: [Signature]
JEAN ZAHR, City Clerk

(SEAL)

APPROVED AS TO FORM:

MICHAEL D. MILICH, City Attorney

By [Signature]
ALISON A. BARRATT-GREEN
Senior Deputy City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2003-198

A RESOLUTION REJECTING BID FOR TIRE RECAPPING AND RELATED SERVICES AND AUTHORIZING RE-BIDDING THIS SCOPE OF WORK FOR A THREE (3) YEAR AGREEMENT WITH TWO (2) ONE-YEAR EXTENSION OPTIONS.

WHEREAS, the bids received for tire recapping and related services were opened at 11:00 a.m. on February 4, 2003, in the office of the City Clerk, and

WHEREAS, bid specifications stated vendors shall submit two (2) original bids,

and

WHEREAS, two (2) vendors chose to respond with one vendor submitting two (2) original bids and one vendor submitting one (1) original bid, and

WHEREAS, to reject one of the two vendors based on the fact that one did not supply two (2) original bids would be counter productive to the competitive process.

Therefore, to ensure that the competitive process is met the Purchasing Division is requesting that Council authorize rejecting all bids from Request for Bid No. 0203-18 and allow the Purchasing Division to re-issue bids for tire recapping and related services, and

WHEREAS, re-bidding will allow for modifications in the bid specifications.

The Purchasing Division will contact those bidders who chose not to respond to the first bid to find out why. Their reasons should be of benefit when writing the terms and conditions language used for the re-bid. In addition, the Purchasing Division will hold a bidders’ conference addressing bid terms and conditions with the bidders, paying particular attention to the requirement of bidders submitting two (2) original bid documents. These efforts should provide a more competitive bid process by increased vendor inclusion, and
WHEREAS, both Modesto Municipal Code 8-3.203 and the bid language allow for all bids to be rejected.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bids received for tire recapping and related services, Bid No. 0203-18, opened in the office of the City Clerk on February 4, 2003, are hereby rejected.

BE IT FURTHER RESOLVED that a request for bids for a three (3) year agreement with two (2) one-year extension options to re-bid the tire recapping and related services with modified specifications is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Conrad, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, O'Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Keating

ATTEST: Jean Zahr, City Clerk

APPROVED AS TO FORM:

By: Michael D. Milich, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2003-199

A RESOLUTION AUTHORIZING THE PURCHASE OF A JOHN DEERE 444H LOADER UNDER THE STATE OF CALIFORNIA, DEPARTMENT OF GENERAL SERVICES, CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS) CONTRACT FROM NORTREX WEST OF FRENCH CAMP, CA. FOR A TOTAL ESTIMATED COST OF $91,678.41

WHEREAS, the Operations and Maintenance Department-Fleet Services has requested the purchase of a John Deere 444H loader, and

WHEREAS, this unit has met its life expectancy, and

WHEREAS, this unit is fully funded for replacement from funds set aside out of the Fleet Replacement Fund, and

WHEREAS, the estimated cost of a new John Deere 444H loader purchased under a State of California, California Multiple Award Schedule (CMAS) contract is $91,678.41, and

WHEREAS, the estimated State Service Charge for using the CMAS contract is $1,567.67, and

WHEREAS, purchasing the equipment from Nortrex West under the CMAS contract will allow the City to receive the lowest possible price for the equipment, and

WHEREAS, the estimated total cost of this purchase is $91,678.41, and

WHEREAS, the Modesto Municipal Code generally requires all purchases exceeding $50,000 for materials and equipment of this type to be formally bid, and

WHEREAS, per MMC 8-3.204 (d) the Purchasing Supervisor may determine that a process other than the formal bid procedure set forth in Section 8-3.203 will result in a procurement for the City at the lowest possible cost commensurate with the desired quality,
NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto hereby approves the purchase of a John Deere 444B loader from Nortrex West under the CMAS statewide pricing contract for a total estimated cost of $91,678.41.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Conrad, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, O'Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Keating

ATTEST: 
JEAN ZAHR, City Clerk

APPROVED AS TO FORM:

By: 
Michael D. Milich, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2003-200

A RESOLUTION APPROVING ISSUANCE OF REQUESTS FOR PROPOSALS TO FIRMS PRE-QUALIFIED UNDER THE CITY'S REQUEST FOR QUALIFICATIONS PROCESS TO ASSIST IN UPDATING THE STORM WATER MANAGEMENT PLAN, MANDATED BY THE CITY'S "NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM STORMWATER PERMIT – NPDES NO. CAS8083526" STORM WATER MANAGEMENT PROGRAM

WHEREAS, on November 16, 1990, the Environmental Protection Agency published regulations that required municipalities over 100,000 in population to apply for a National Pollution Discharge Elimination System (NPDES) municipal stormwater permit, and

WHEREAS, Council Resolution 2002-588 accepted the renewal of NPDES Stormwater Permit No. CAS8083526 prepared for the City of Modesto, and

WHEREAS, as part of this current NPDES Stormwater Permit, the RWQCB mandates the City to create a Storm Water Management Plan (SWMP) by July 1, 2003, which deadline has been extended from the original April 1, 2003 deadline, and

WHEREAS, within that Plan the City must develop the following programs:

Construction Program
Industrial/Commercial Program
Municipal Program
Illicit Discharge/Illicit Connection Program
Education and Public Outreach Program
Land-Use Planning for New Development and Redevelopment
Training Program
Assessment Tools / Performance Standards
Fiscal Analysis
WHEREAS, City staff has been working on the SWMP, however, there are many complex issues and it will take technical and environmental experts approximately 2,500 additional man-hours to complete this comprehensive plan, and

WHEREAS, staff’s already-heavy workload precludes completion of this project without outside assistance, and

WHEREAS, if the Plan is not completed by July 1, 2003 the City will be in violation of its NPDES Stormwater Permit, and

WHEREAS, staff prepared a qualification checklist and issued Requests for Qualifications to various firms who might be able to assist in update the Plan, and

WHEREAS five statements were returned with three of those having met all the required criteria,

NOW, THEREFORE BE IT HEREBY RESOLVED by the Council of the City of Modesto that the City of Modesto hereby send Requests For Proposals to the three qualified firms of:

Camp, Dresser & McKee, Inc
Eisenberg, Olivieri & Associates
Larry Walker & Associates

to assist in updating the NPDES Stormwater Permit’s Storm Water Management Plan by the due date of July 1, 2003.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, O'Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Keating

ATTEST: 

JEAN ZAHR, City Clerk

APPROVED AS TO FORM:

MICHEAL D. MILICH, City Attorney
A RESOLUTION APPROVING XCLAMATION FEST 2003 HOSTED BY CHRIS RICCI PRESENTS, INC. AND JCD CONCEPTS 2000, INC. IN DOWNTOWN MODESTO ON SATURDAY JULY 19, 2003

WHEREAS, on April 25, 2000, by Resolution No. 2000-189, the City Council approved a license agreement with Chris Ricci Presents, Inc., to hold an annual Xclamation Fest (X-Fest), and

WHEREAS, this event will take place again on Saturday, July 19, 2003, and

WHEREAS, Mr. Ricci has met with the Modesto Police Department, the Downtown Improvement District, and the Modesto Centre Plaza staff in order to secure approval and coordination for the event, and

WHEREAS, this event is of financial benefit to the City of Modesto and downtown merchants, and

WHEREAS, the Safety & Communities Committee reviewed this item at its March 31, 2003, meeting and supported approval of the Xclamation Fest,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council hereby approves Xclamation Fest 2003 to be held in Downtown Modesto on Saturday, July 19, 2003.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 2003, by Councilmember Fisher, who moved its adoption, which motion being duly seconded by Councilmember Conrad, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, O'Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Keating

ATTEST: [Signature]

JEAN ZAHR, City Clerk

(SEAL)

APPROVED AS TO FORM:

By [Signature]

MICHAEL D. MILICH, City Attorney
A RESOLUTION APPROVING THE TERMS OF A LEASE AGREEMENT BETWEEN CIVIC PARTNERS AND THE MODESTO ART CENTER AND GALLERY FOR RENTAL OF +/- 5,148 SQUARE FEET OF COMMERCIAL SPACE ON THE FIRST FLOOR OF TENTH STREET PLACE

WHEREAS, the Central California Art League currently rents space at the McHenry Museum for its Modesto Art Center and Gallery, and

WHEREAS, the Modesto Art Center and Gallery would like a more visible space and the McHenry Museum needs the existing space for new programs and activities, and

WHEREAS, staff has located street level storefront gallery space at Tenth Street Place and negotiated proposed terms with Civic Partners, and

WHEREAS, the +/- 5,148 square foot space is available for a three year lease for $3,964/month in year one, $4,043/month in year two, and $4,124 in year three, and

WHEREAS, on August 3, 2002, the Safety and Communities Committee supported the recommendation that the Central California Art League’s Modesto Art Center and Gallery search for a new site, and

WHEREAS, at their January 6, 2003 meeting and March 31, 2003 meeting, the Safety and Communities Committee supported the proposed lease agreement between Civic Partners and the Modesto Art Center and Gallery,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council hereby approves the lease agreement between Civic Partners and Modesto Art Center and Gallery for rental of +/- 5,148 square feet of commercial space on the first floor of Tenth Street Place.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Keating

ATTTEST: Jean Zahr, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Michael D. Milich, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2003-203

A RESOLUTION APPROVING THE CITY OF MODESTO AS THE LEASE GUARANTOR ON THE LEASE AGREEMENT BETWEEN CIVIC PARTNERS AND MODESTO ART CENTER AND GALLERY FOR A LEASE AGREEMENT FOR +/- 5,148 SQUARE FEET OF STREET LEVEL STOREFRONT SPACE AT TENTH STREET PLACE FOR THE MODESTO ART CENTER AND GALLERY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE GUARANTEE OF LEASE AGREEMENT.

WHEREAS, the Central California Art League currently rents space at the McHenry Museum for its Modesto Art Center and Gallery, and

WHEREAS, the Modesto Art Center and Gallery would like a more visible space and the McHenry Museum needs the existing space for new programs and activities, and

WHEREAS, staff has located street level storefront gallery space at Tenth Street Place and negotiated proposed terms with Civic Partners, and

WHEREAS, the +/- 5,148 square foot space is available for a three year lease for $3,964/month in year one, $4,043/month in year two, and $4,124 in year three, and

WHEREAS, Civic Partners is requiring that the Central California Art League secure a guarantor for their lease agreement, and

WHEREAS, on August 5, 2002, the Safety and Communities Committee supported the recommendation that the Central California Art League’s Modesto Art Center and Gallery search for a new site, and

WHEREAS, at their January 6, 2003 meeting, the Safety and Communities Committee supported the proposed lease agreement between Civic Partners and the Modesto Art Center and Gallery with the City as co-signor on the lease, and
WHEREAS, the Safety & Communities Committee reviewed this item at its March 31, 2003 meeting and approved the City as the lease guarantor on the lease agreement between Civic Partners and the Modesto Art Center and Gallery,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council hereby approves the City of Modesto as the lease guarantor on the lease agreement between Civic Partners and Modesto Art Center and Gallery for +/- 5,148 square feet of street level storefront space at Tenth Street Place in downtown Modesto.

BE IT FURTHER RESOLVED that the Council hereby authorizes the City Manager to execute the guarantee of lease agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, O'Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Keating

ATTEST: Jean Zahr, City Clerk

(SEAL)

APPROVED AS TO FORM:

Michael D. Milich, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2002-204

A RESOLUTION APPROVING AN AMENDMENT TO AGREEMENT WITH CALLANDER ASSOCIATES LANDSCAPE ARCHITECTURE INC. TO PROVIDE ADDITIONAL SERVICES RELATED TO THE PREPARATION OF THE ENVIRONMENTAL DOCUMENTS FOR THE VIRGINIA AVENUE CORRIDOR SPECIFIC PLAN PROJECT, INCREASING THE CONTRACTUAL FEE BY $72,640 FROM $304,000 TO $376,640 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT TO AGREEMENT.

WHEREAS, the Virginia Avenue Corridor Trail Project consists of conversion of the abandoned 4.2 mile Union Pacific Railroad corridor to a linear park with Class I bikeway and pedestrian trail, and

WHEREAS, on October 8, 2001, the City Council approved an agreement with Callander Associates Landscape Architecture, Inc. to prepare a Specific Plan for the project with a professional service fee of $304,000, and

WHEREAS, at that time, it was the intent of staff to have the environmental work prepared by a separate environmental consultant, and

WHEREAS, since that time, staff has determined that the environmental document preparation work could best be undertaken by Cotton-Bridges Associates, a sub-consultant of Callander Associates Landscape Architecture, Inc., and

WHEREAS, by including this work within a revised scope of the Agreement with Callander Associates, this firm will have direct oversight to provide coordination between the Specific Plan and the environmental documents, and

WHEREAS, both federal National Environmental Protection Act (NEPA) and State of California Environmental Quality Act (CEQA) compliance will be met so as to qualify the project for federal and state funding sources, and
WHEREAS, staff is recommending amending the Agreement with Callander Associates Landscape Architecture, Inc. to provide the additional work as described in Exhibit “A-1”, attached hereto and incorporated by reference, increasing the contractual fee by $72,640 from $304,000 to $376,640, and

WHEREAS, the Safety and Communities Committee met on March 31, 2003, and supported staff’s recommendation to approve an Amendment to the Agreement with Callander Associates Landscape Architecture, Inc. to provide the additional work as described in Exhibit “A-1” and to increase the contractual fee by $72,640 from $304,000 to $376,640,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council hereby approves an Amendment to Agreement with Callander Associates Landscape Architecture, Inc. to provide additional services related to the preparation of the environmental documents for the Virginia Avenue Corridor Specific Plan project at a cost not to exceed $72,640.

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 22nd day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Keating

Attest: Jean Zahr
JEAN ZAHR, City Clerk

APPROVED AS TO FORM:

By:  
MICHAEL D. MILICH, City Attorney
Via First Class Mail

March 18, 2003

ADDITIONAL SERVICES AUTHORIZATION #1 (Revised)

TO: Mr. Doug Critchfield, Parks Planning
   and Development Manager
   City of Modesto
   Recreation and Neighborhoods Department
   1010 Tenth Street, Suite 4400
   Modesto, CA 95353
   Phone: (209) 577-5353
   Fax: (209) 579-5077

RE: VIRGINIA CORRIDOR/environmental document

The following additional services will be provided on this project in accordance with
our agreement dated October 16, 2001 and are considered an amendment thereto:

SCOPE

Project Manager (Callander Associates) to be Brian Fletcher

Environmental Document: Callander Associates will provide environmental
document preparation services per the attached scope of services by
Cotton/Bridges/Associates, dated September 25, 2002, and per the following
tasks.

- Task 1 - initial consultations
- Task 2 - prepare IS/EA
- Task 3 - prepare MND/FONSI
- Task 4 - prepare NEPA notices
- Task 5 - prepare response to comments on the draft MND
- Task 6 - meetings and public hearings
- Task 7 - mitigation monitoring, program/notice of determination
Progress Report Meeting: Callander Associates to allow for a single progress report meeting with City staff and preparation of a *written meeting summary*.

Interim Coordination: Callander Associates will provide on-going review and coordination during environmental document preparation (allow for 6 hours).

Plan Graphics: Callander Associates will provide existing *conceptual plan graphics* for incorporation into environmental document.

**COMPENSATION**

**Rate Adjustment**

Change the hourly rates listed in the original contract to the 2003 rates shown in the attached Standard Schedule of Compensation 2003 (S).

**Environmental Document**

Fees (hourly, as indicated below): ........................................................ $4,880

- Callander Associates:
  - senior principal ........................................ 8 hours @ $170 /hour .... $1,360
  - associate (1) ........................................... 16 hours @ $128 /hour .... $2,048
  - landscape architect (1) ............................ 16 hours @ $92 /hour .... $1,472

- Subconsultant (shall be on a lump sum fee basis):
  - Cotton/Bridges/Associates ........................................................ $65,500

Reimbursable expenses and surcharges (allowance of): ................... $2,260

Total (ASA #1).................................................................................. $72,640

Original contract.............................................................................. $303,520

**TOTAL COMPENSATION**................................................................ $376,160

**Schedule**

Callander Associates will proceed to complete the above services concurrently with completion of our other services after receipt of a signed copy of this authorization.
Signatures

Landscape Architect

[Signature]

Brian Fletcher, Associate
Callander Associates Landscape Architecture, Inc.

Client

[Signature]

authorized signature for the City of Modesto

c:
Mr. Bob Ford

Attachments:
Scope of Services, Environmental Documentation prepared by Cotton/Bridges/Associates dated September 25, 2002
Standard Schedule of Compensation 2003 (S)
Financial Interest Disclosure Form, two pages
Project Schedule, dated March 24, 2003
Standard Schedule of Compensation 2003 (S)

General
The following list of fees and reimbursable expense items shall be used in providing service in the agreement. These amounts shall be adjusted in January, upon issuance of an updated Standard Schedule of Compensation:

Hourly Rates

<table>
<thead>
<tr>
<th>Role</th>
<th>Rate per Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Principal</td>
<td>$170</td>
</tr>
<tr>
<td>Principal</td>
<td>$149</td>
</tr>
<tr>
<td>Senior Associate</td>
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<td>Associate 2</td>
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<td>Associate 3</td>
<td>$96</td>
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<td>Landscape Architect 2</td>
<td>$85</td>
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<td>Landscape Architect 3</td>
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<tr>
<td>Construction Manager</td>
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<td>Assistant 1</td>
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<tr>
<td>Technician</td>
<td>$51</td>
</tr>
<tr>
<td>Word Processor</td>
<td>$75</td>
</tr>
<tr>
<td>Project Assistant</td>
<td>$75</td>
</tr>
</tbody>
</table>

Reimbursable Expenses
All costs for photography, printing and plotting, special delivery, insurance certificate charges, charges for waivers of subrogation, local business licenses, sales taxes, assessments, fees, mileage, all CADD and visual simulation ancillary costs, such as data transfers, tapes and outside services, and all other costs directly related to the project will be billed as a reimbursable expense at our cost plus a fifteen percent (15%) administration charge. The cost of professional liability insurance and all costs associated with cell phones, electronic mail, faxes, long distance phone charges and related telecommunications shall be charged as a combined surcharge of 2.5% on the total fees.

Payments
Payments are due within ten days after monthly billing with amounts more than thirty days past due subject to a 1.5% per month interest charge. Retainer amounts, if indicated, are due upon signing the agreement and shall be applied to the final invoice for the project.
MODESTO CITY COUNCIL
RESOLUTION NO. 2003-205

A RESOLUTION APPROVING THE APPLICATION FOR $31,200 IN LAND AND WATER CONSERVATION FUNDS FOR THE ORVILLE WRIGHT NEIGHBORHOOD PARK PICNIC SHELTER PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT APPLICATION DOCUMENTS.

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a Federal Land and Water Conservation Fund Grant-in-Aid Program, providing matching funds to the State of California and its political subdivisions for acquiring lands and developing facilities for public outdoor recreation purposes, and

WHEREAS, the State Department of Parks and Recreation is responsible for administration of the program in the state, setting up necessary rules and procedures governing application by local agencies under the program, and

WHEREAS, said adopted procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications and the availability of local matching funds prior to submission of said application to the state, and

WHEREAS, the proposed Orville Wright Neighborhood Park Picnic Shelter Project is consistent with the Statewide Comprehensive Recreation Resources Plan: California Outdoor Recreation Plan 1994, and,

WHEREAS, the project must be compatible with the land use plans of those jurisdictions immediately surrounding the project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council hereby:
1. Approves the filing of an application for Land and Water Conservation Fund assistance in the amount of $37,200 and

2. Certifies that said agency has matching funds from the following source: Park Fund 1400, and can finance 100 percent of the project, half of which will be reimbursed; and

3. Appoints the City Manager as agent of the city to conduct all negotiations and execute and submit all necessary grant application documents.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Keating

Attest: Jean Zahr
JEAN ZAHR, City Clerk

APPROVED AS TO FORM:

By: Michael D. Milich
MICHAEL D. MILICH, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NUMBER 2003-206

A RESOLUTION AMENDING THE FISCAL YEAR 2002/03 BUDGET TO TRANSFER FUNDS FROM THE ASSET FORFEITURE TRUST FUND TO THE GENERAL FUND - POLICE OPERATIONS FOR THE PURCHASE OF TWO CANINES

WHEREAS, there have been two police canines retired from the Police Department Canine Unit, and
WHEREAS, the Police Department needs to replace these dogs to maintain the canine unit at full capacity, and
WHEREAS, costs, including travel to the kennel and air transport of the dogs, for these canines is $13,810 and
WHEREAS, the Asset Forfeiture Trust Fund has monies available for this purchase,
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the 2002/03 Annual Budget is hereby amended as indicated below:

Appropriate:
To: 0100-190-1961-5297 $13,810 Police Field Operations

Revenue:
From: 0100-190-1961-7202 $13,810 Seized Forfeitures

BE IT FURTHER RESOLVED that the Finance Director 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 22nd day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, O'Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Keating

ATTEST: Jean Zahr

JEAN ZAHR, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: Michael D. Milich, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2003-207

A RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT FOR AUDIT SERVICES WITH VAVRINEK, TRINE, DAY & CO. FOR THE COMMUNITY FACILITIES DISTRICTS AUDITS AT A COST NOT TO EXCEED $31,000, EXTENDING THE DUE DATE OF THE FINAL AUDIT REPORTS TO THE MAY 13, 2003, COUNCIL MEETING, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT AMENDMENT.

WHEREAS, at its October 22, 2002, meeting the Modesto City Council adopted Resolution 2002-521 approving execution of a contract with Vavrinek, Trine, Day & Co. to perform audits of the City of Modesto Community Facilities Districts, and

WHEREAS, the City Manager executed said contract on behalf of the City of Modesto, and

WHEREAS, the audit firm has requested approval to perform additional work that is outside the scope of the original contract, at a price not to exceed $31,000, and

WHEREAS, the contract for these audit services requires Modesto City Council approval for such additional work, and

WHEREAS, the additional work will require an extension of the due date of the final audit reports to May 13, 2003, at which time the reports will be presented to the Modesto City Council, and

WHEREAS, at its April 9, 2003, meeting the Audit Committee recommended that the Council approve both the additional work and the time extension to complete this work,
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an amendment to the contract for audit services with Vavrinek, Trine, Day & Co., for the Community Facilities Districts audits, authorizing the additional work proposed, at a cost not to exceed $31,000, and extending the due date of the final audit reports to the Council until May 13, 2003.

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Keating

ATTEST: Jean Zahr, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Michael D. Milich, City Attorney
A RESOLUTION APPROVING AN ANNUAL PAYMENT OF $10,000 TO THE FOURTH OF JULY COMMITTEE OF THE MODESTO JAYCEES FOR THEIR ANNUAL PARADE, PICNIC IN THE PARK AND FIREWORKS DISPLAY

WHEREAS, by Resolution No. 96-308, the City Council granted approval of the Fourth of July Committee of the Modesto Jaycees (Committee) for their annual parade, picnic in the park and fireworks display, and

WHEREAS, in order to plan for this annual event, the Committee needs a financial commitment from the City of Modesto in advance of adoption of the City’s budget, and

WHEREAS, the recommendation is made to approve an annual payment of $10,000, with a two year termination clause,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council hereby approves allocating an annual payment of $10,000 to the Fourth of July Committee of the Modesto Jaycees to be renewed automatically on the first day of each fiscal year unless:

(1) There was direct action on the part of City by the Mayor and City Council not to provide funding to support the Fourth of July Parade, Picnic in the Park and Fireworks Display presented by the Fourth of July Committee of the Modesto Jaycees. Should City decide not to provide funding, City shall give the Committee notice of its intent. The date the funding is terminated shall be on the date two years from the date of the written notice of said termination; or

(2) Discontinuance of activities as described in Resolution No. 96-308. Should the Committee default in the performance of the activities described in Resolution No. 96-308 or materially breach any of its provisions, at its option, City may terminate this Agreement by giving written notification to the Committee. The termination date shall be on the date two-years from the...
date of the notice. For the purposes of this section, material breach of their Agreement shall include, but not be limited to any of the following: failure to perform services or duties; failure to provide financial statements or to account for any funds allocated to Committee by the City of Modesto; or

(3) Voluntary Termination. Either party may terminate this Agreement upon written notice to the other. The termination date shall be on the date two-years from the date of the written notice; or

(4) This Agreement may be terminated immediately by City upon the conviction of the Fourth of July Committee or the Modesto Jaycees of illegal activities in the name of the Committee or City.

BE IT FURTHER RESOLVED that all provisions of Resolution No. 96-308, a copy of which is attached and incorporated herein by reference, shall remain in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 2003, by Councilmember Jackman, who moved its adoption, which motion being duly seconded by Councilmember Fisher, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Keating

Attest: 

JEAN ZAHR, City Clerk

APPROVED AS TO FORM:

By: 

MICHAEL D. MILICH, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2003-209

A RESOLUTION APPROVING A SERVICE AGREEMENT WITH RUDY BONZI, INC. FOR THE COLLECTION OF INDUSTRIAL GARBAGE, SALVAGEABLE WASTE, AND INDUSTRIAL RECYCLABLES AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT.

WHEREAS, the Legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1990 ("AB 939"), has declared that it is within the public interest to authorize and require local agencies to make adequate provisions for handling solid waste, including garbage, garbage/recyclables, recyclables, yard waste, industrial garbage, and salvageable waste handling within their jurisdictions, and

WHEREAS, pursuant to California Public Resources Code Section 40059, the City Council has determined that the public health, safety, and well-being require that a service agreement be executed with a qualified firm for the collection, transport, recycling, and disposal of solid waste, including garbage, garbage/recyclables, recyclables, containerized yard waste, industrial garbage, and salvageable waste in residential, commercial, and industrial areas and construction/demolition sites in the CITY, and

WHEREAS, the City Council declares its intention of maintaining reasonable rates for the services to be provided within the City limits by Rudy Bonzi, Inc., under this Agreement, and

WHEREAS, pursuant to California Public Resources Code Section 49510 (b), the City
Council finds that it is in the public interest to foster and encourage solid waste enterprises so that, at all times, there will continue to be competent enterprises willing and financially able to furnish needed solid waste handling services, and

WHEREAS, Sections 5-5.23 through 5-5.33 of the Modesto Municipal Code, inclusive, establish the process by which proposals may be submitted to enter into service agreements with the City, and the procedure by which the City reviews and determines whether to enter into such service agreements, and

WHEREAS, Rudy Bonzi, Inc. has submitted such a proposal to enter into a service agreement, and a public hearing was duly held on April 22, 2003 at 5:30 p.m., in the Tenth Street Chambers, located at 1010 Tenth Street, Modesto, California, at which time the matter was considered, and

WHEREAS, the Economic Development Committee considered Rudy Bonzi’s request for a Service Agreement at its meeting on March 10, 2003, and recommended its consideration to the full Council,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that a Service Agreement between the City of Modesto and Rudy Bonzi, Inc. is hereby approved, for the purposes of providing solid waste collection services in the area of Industrial garbage, salvageable waste, and industrial recyclables.

BE IT FURTHER RESOLVED by the Council that it hereby authorizes the City Manager, or his designee, to execute the agreement.
The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 22nd day of April, 2003, by Councilmember Fisher, who
moved its adoption, which motion being duly seconded by Councilmember O'Bryant,
was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, O'Bryant,
       Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: Keating

ATTEST: _______________________
         JEAN ZAHR, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _______________________
   MICHAEL D. MILICH, City Attorney
WHEREAS, the Bikes Belong Coalition distributes grants for bicycle facility, education, and "capacity" projects, and

WHEREAS, the Virginia Corridor Rails-to-Trails Project is consistent with the Bikes Belong Coalition grant project criteria, and

WHEREAS, the Bikes Belong Coalition requires an authorized signature on grant application and contract documents,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council hereby approves the filing of an application for Bikes Belong Coalition assistance in the amount of $10,000.

BE IT FURTHER RESOLVED that the City Manager or his designee is hereby authorized to execute and submit all necessary grant application documents.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 2003, by Councilmember Frohman, who moved its adoption, which motion being duly seconded by Councilmember Conrad, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, Keating, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: None

Attest:  
JEAN ZAHN, City Clerk

APPROVED AS TO FORM:  
By:  
MICHAEL D. MILICH, City Attorney
A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF MODESTO AND THE MODESTO IRRIGATION DISTRICT FOR THE DISCHARGE OF STORM DRAINAGE WATER FROM THE VILLAGE ONE CENTRAL BASIN TO LATERAL NO. 3

WHEREAS, the City of Modesto is desirous of developing a positive storm drainage system in Village One, and

WHEREAS, the Village One Facilities Master Plan Update, dated May 2003, provides that the storm drainage water collected for the Village One area shall be discharged from the Village One Central Basin to MID Lateral No. 3, and

WHEREAS, the Modesto Irrigation District ("MID") owns the property known as Lateral No. 3, and

WHEREAS, the Modesto Irrigation District has agreed to allow the discharge of storm drainage water from the Village One Central Basin to Lateral No. 3,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the Modesto Irrigation District for the discharge of storm drainage water from the Village One Central Basin to Lateral No. 3 is hereby approved.

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 6th day of May, 2003, Councilmember Fisher, who moved its adoption, which motion being duly seconded by Councilmember Keating, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, Keating, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: JEAN ZAHN, City Clerk

(SEAL)

By: MICHAEL D. MILICH, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2003-210

A RESOLUTION ACCEPTING THE PROJECT TITLED "STREET LIGHTING CIRCUIT REPLACEMENT" AS COMPLETE

WHEREAS, a report has been filed by the Engineering & Transportation Director that the project titled "Street Lighting Circuit Replacement", has been completed by Clayborn Contracting Group, in accordance with the contract agreement dated September 24, 2002,

NOW, THEREFORE, BE IT RESOLVED that the "Street Lighting Circuit Replacement" project is hereby accepted from said contractor, Clayborn Contracting Group, that City staff is hereby directed to file the Notice of Completion with the Recorder of Stanislaus County and that payment of amounts due totaling $95,752 as provided in the contract, is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 2003, by Councilmember Frohman, who moved its adoption, which motion being duly seconded by Councilmember Conrad, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, Keating, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: JEAN ZAHR, City Clerk

(SEAL)

APPROVED AS TO FORM:

By MICHAEL D. MILICH, City Attorney

05/06/03 T. Parmer
A RESOLUTION ACCEPTING THE PROJECT TITLED "OAKBROOK APARTMENT LIFT STATION" AS COMPLETE

WHEREAS, on November 28, 2000, the City Council authorized execution of a settlement agreement with Oakbrook Apartments at 1860 Scenic Drive by Resolution Number 2000-599, and

WHEREAS, said agreement called for installation of a self-contained sanitary sewer lift station on the Oakbrook Apartment property by the City of Modesto, and

WHEREAS, said agreement also called for the City to cede their rights, title and interest in the lift station to Oakbrook Apartments, and

WHEREAS, Oakbrook Apartments agreed to be responsible for the total cost of maintaining the pump station, and

WHEREAS, the City Council awarded a contract on June 4, 2002 to D. A. Wood Construction for construction of the project titled "Oakbrook Apartment Lift Station", and

WHEREAS, a report has been filed by the Engineering & Transportation Director that the project titled "Oakbrook Apartment Lift Station", has been completed by D.A. Wood Construction, in accordance with the contract agreement dated June 4, 2002,

NOW, THEREFORE, BE IT RESOLVED that the "Oakbrook Apartment Lift Station" project is hereby accepted from said contractor, D.A. Wood Construction, that City Staff is hereby directed to file the Notice of Completion with the Recorder of Stanislaus County and that payment of amounts due totaling $91,237.14 as provided in the contract, is hereby authorized.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 2003, by Councilmember Frohman, who moved its adoption, which motion being duly seconded by Councilmember Conrad, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, Keating, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED AS TO FORM:

By MICHAEL D. MILICH, City Attorney

(Seal)

ATTEST: JEAN ZAHR, City Clerk
MODESTO CITY COUNCIL  
RESOLUTION NO. 2003-212  

A RESOLUTION ACCEPTING A FEDERAL HAZARD ELIMINATION SAFETY (HES) GRANT FOR $160,200 AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE, TO EXECUTE NECESSARY GRANT DOCUMENTS.

WHEREAS, in March, 2003, the City received notice that it was awarded a grant for $160,200 for the installation of breakaway brackets on existing street light standards on Briggsmore Avenue between Oakdale Road and Claus Road and between Prescott Road and McHenry Avenue within the city of Modesto, and

WHEREAS, this grant will be used to install breakaway brackets on existing street light standards, thereby enhancing safety for motorists, and

WHEREAS, the project grant application was reviewed and approved by the Transportation Policy Committee at its February 21, 2002, meeting,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts the Federal Hazard Elimination Safety grant in the amount of $160,200.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the necessary grant documents for said projects.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 2003, by Councilmember Frohman, who moved its adoption, which motion being duly seconded by Councilmember Conrad, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, Keating, O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST:  
JEAN ZAHRI, City Clerk
(SEAL)

APPROVED AS TO FORM:

By:  
MICHAEL D. MILICH, City Attorney
A RESOLUTION AMENDING THE FISCAL YEAR 2002-03 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET ACCEPTING A FEDERAL HAZARD ELIMINATION SAFETY (HES) GRANT FOR $160,200 AND CREATING A NEW CAPITAL IMPROVEMENT PROJECT, ENTITLED “BRIGGSMORE BREAKAWAY STREET LIGHT MODIFICATIONS.”

WHEREAS, in March, 2003, the City was awarded a grant of $160,200 from a Hazard Elimination Safety grant for the installation of breakaway brackets on existing street light standards on Briggsmore Avenue between Oakdale Road and Claus Road and between Prescott Road and McHenry Avenue, and

WHEREAS, said funds can be utilized for the installation of breakaway brackets on existing street light standards within the City of Modesto, thereby enhancing safety for motorists, and

WHEREAS, the project grant application was reviewed and approved by the Transportation Policy Committee at its February 21, 2002, meeting,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Fiscal Year 2002-03 Capital Improvement Program budget accepting a Federal Hazard Elimination Safety grant for $160,200, with a $17,800 City match from Gas Tax reserves, for a total of $178,000 and creating a new Capital Improvement Project entitled “Briggsmore Breakaway Street Light Modifications.”
The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 6th day of May, 2003, by Councilmember Frohman, who
moved its adoption, which motion being duly seconded by Councilmember Conrad, was
upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, Keating,
O’Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

JEAN ZAHN, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 

MICHAEL D. MILICH, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2003-214

A RESOLUTION AWARDSING BID AND APPROVING A $90,110 CONTRACT WITH ON GRADE CONTRACTING FOR THE PROJECT TITLED “INSTALLATION OF RIGHT-TURN LANE FROM DOWNEY AVENUE ONTO MCHENRY AVENUE”

WHEREAS, the bids received for the “Installation of Right-turn Lane From Downey onto McHenry Avenue” project were opened at 11:00 a.m., on April 8, 2003, and later tabulated by the Engineering and Transportation Director for the consideration of the Council, and

WHEREAS, the Engineering and Transportation Director has recommended that the bid of $90,110 received from On Grade Contracting be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of On Grade Contracting be accepted and the execution of a contract for the completion of the project by the City’s designated officials be authorized.
The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 6th day of May, 2003, by Councilmember Frohman, who
moved its adoption, which motion being duly seconded by Councilmember Conrad, was
upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, Keating,
O'Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: None

Attest:  
JEAN ZAHR, City Clerk

(SEAL)

APPROVED AS TO FORM:

By:  
MICHAEL D. MILICH, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2003-215

A RESOLUTION AMENDING THE CAPITAL IMPROVEMENT BUDGET TO TRANSFER $5,000 ACCOUNT NO. 6280-480-5312-0235, “SERVICES, PROFESSIONAL, AND OTHER” TO ACCOUNT NO. 0700-160-H918-6050, “MCHENRY NEEDHAM RIGHT-TURN LANE,” TO RECOGNIZE THE ADDITIONAL REVENUE REQUIRED TO PROVIDE SUFFICIENT FUNDS TO FULLY COVER THE ANTICIPATED CONSTRUCTION EXPENSE

WHEREAS, on April 8, 2003, the City Council received bids for a project titled “Installation of Right-turn Lane From Downey Avenue Onto McHenry Avenue,” and

WHEREAS, the acceptable low bidder was On Grade Contracting of Jamestown, California, with a bid of $90,110, and

WHEREAS, the City has obtained Federal Congestion Mitigation and Air Quality (CMAQ) funding to pay for up to $97,480 of the project costs, and

WHEREAS, $5,000 in additional local matching funds is required to fully fund the construction of this project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Capital Improvement Budget is hereby amended to transfer $5,000 from Account No. 6280-480-5312-0235, “Services, Professional, and Other” to project Account No. 0700-160-H918-6050, for the “McHenry/Needham Right-turn Lane” to recognize the additional revenue.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of May, 2003, by Councilmember Frohman, who moved its adoption, which motion being duly seconded by Councilmember Conrad, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Conrad, Fisher, Frohman, Jackman, Keating, O'Bryant, Mayor Sabatino

NOES: Councilmembers: None

ABSENT: Councilmembers: None

Attest: _________________________
JEAN ZAHR, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: _____________________________
MICHAEL D. MILICH, City Attorney