RESOLUTION APPROVING THE MAYOR’S FINAL BUDGET MODIFICATIONS, BUDGET PRINCIPLES, AND FINANCIAL POLICIES AS OUTLINED IN THE MAYOR’S MODIFICATION MESSAGE FOR FISCAL YEAR 2016-2017

WHEREAS, as part of the City of Modesto’s Proposed Budget for FY 2016-2017, the Mayor included his Final Budget Modifications and Budget Principles for the Council’s consideration, and

WHEREAS, each year the City Council’s Effective Government Committee makes recommendations regarding the upcoming Fiscal Year Operating Budget and Capital Improvement Program, and

WHEREAS, in the development of the FY 2016-2017 Operating Budget, the Effective Government Committee reviewed and recommended for City Council consideration the attached Proposed Budget, Budget Principles, and Financial Policies,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Proposed Budget inclusive of the Mayor’s Final Budget Modifications, the Budget Principles, and Financial Policies as shown in Attachments 4 and 5 and Exhibit 6, which are incorporated by reference herein.
The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of June, 2016, by Councilmember Grewal, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: None

SEAL

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
May 31, 2016

As Mayor, I have the duty to prepare and deliver to the City Council the Mayor’s Final Budget Modifications for the draft budget under Modesto City Charter Section 1303.

Under our City Charter, the Mayor has specific duties related to the budget such as this message. Under the Charter, the first steps in the budget process are to occur each year before February 1. I was sworn in as Mayor on February 23rd, following the run-off election. Consequently, while I met and worked with the City Manager a number of times about the budget, because of the schedule, I had to rely heavily on the City Manager and other experienced City staff to produce this year’s draft budget. To the City Manager and staff, thank you for your work on the budget.

The City’s staff-directed budget process provided modest increases in funding for public safety. For example, this year’s draft budget includes an additional $1,246,536 for the Fire Department. This increase is mostly due to continuing adjustments related to dissolution of the Modesto Regional Fire Authority that the City and other agencies created in 2011, and dissolved in 2014. I am told that this will be the last year of such adjustments. In the future, the City Council will be able to better judge the Fire Department’s budget in terms of its delivery of services to our citizens and taxpayers. This year’s staff proposed budget includes a total of $28,640,785 from the General Fund for the Fire Department, or 24.8% of our General Fund total expected revenue.

In addition to this increase for the Fire Department, the City’s staff-directed budget process was able to provide some minor additions for the Police Department in the budget “enhancement” procedure. The City engages in a process that, upon completion, is identified in the draft budget as the “Mayor Recommended Enhancement List.” Under this process, City departments make their budget requests for the upcoming fiscal year. These requests are reviewed by the City Manager and his team. Then, in a collaborative fashion, the City Manager and I review his recommendations resulting from this process. There were tough choices to be made. I thank the City Manager for his wisdom in reviewing the many departmental requests. I agreed with the City Manager’s recommendations on the “Mayor Recommended Enhancement List” and they are included in the draft budget.

The City Manager should be congratulated for minimizing the impact of the “enhancement” requests on the proposed General Fund portion of the budget. The revisions added a net
$444,389 to our General Fund expenditures (and almost 11 new full-time equivalent employees to the City’s personnel), and were common sense adjustments to City operations. Also in this process, the City Manager recommended disapproving "enhancements" that would have added a net $540,533 to our General Fund expenditures.

For the purposes of increasing police services within the staff directed budget, through the "Mayor Recommended Enhancement List" process, we were able to add 3 Community Service Officers and 5 support personnel to the Police Department. Community Service Officers are non-sworn officers that can undertake duties that free-up sworn officers to spend more time combatting criminals. The ranks of Community Service Officers were depleted during the economic downtown. The Police Chief has said that more Community Service Officers will allow him to better deploy his sworn officer corps to fight crime. After these changes, the Police Department budget includes $56,107,205 from the General Fund, or 48.6% of our General Fund total expected revenue. 218 sworn police officer positions are included in this year's current draft budget, a decline of one position from last year's 219 sworn police officer positions.

On a parallel schedule with the City's budget process, the City Council at my suggestion appointed the 100 Day Budget Review Committee to review the City budget. The Committee is composed of accomplished citizens, most of whom have experience as CEOs, CFOs, or CPAs. The Committee has worked very hard, in a brief amount of time, to research the City budget and to develop short-term and long-term recommendations for the budget and to improve the overall financial condition of the City. The Committee's recommendations will be considered by the City Council. For the purposes of this Mayor's Final Budget Modifications message, I have had the benefit of both the committee's deliberations to date and its short-term recommendations. I thank the Chairman and Committee members for their devoted efforts.

As these two efforts proceeded early in my term of office, I did not feel that I should impose my goal of hiring additional police officers into the budget proceedings until I had a more complete view of City finances. However, now that these efforts have progressed, the combination of the City's budget process and the work of the 100 Day Budget Review Committee has convinced me that the City Council can and must immediately authorize the hiring of additional police officers, within our current budget constraints, and without raising taxes.

The City Manager has estimated that the cost of adding 22 sworn police officers to the budget will cost approximately $2.5 million. This would increase our force strength from 218 to 240 officers. As noted above, the Police Chief has indicated that he may be able to increase the effectiveness of our policing by utilizing additional Community Service Officers instead of hiring only sworn officers.

After considering all these factors, my Final Budget Modifications recommendation is quite simple: increase the Police Department budget by $2.5 million to fund additional sworn officers and/or community service officers in a combination recommended by the City Manager and the Police Chief. These monies could only be used for these
specified purposes and no other purposes. This would allow the Police Chief to raise his sworn officer ranks to 240, or to a lesser amount if greater effectiveness can be achieved by a combination of sworn officers and community service officers.

Under the Modesto City Charter, if the Mayor recommends additional spending, he or she must specify how the spending will be funded. It has been suggested to me, and is likely true, that due to training and hiring timelines, it is unlikely that all 22 new police officers could be hired within one year. Under that possibility, it might not be necessary for the Mayor to specify how the entire $2.5 million would be funded in one budget year. However, I feel that I should identify the entire funding amount in this year’s budget in case the entire additional complement of officers could be hired. To that end, I have sought input from the City Manager and the 100 Day Budget Review Committee on how we can achieve this full funding.

While I am sure Modesto citizens hope that I could immediately identify and eliminate wasteful spending, it turns out that a municipal budgeting process is not set up for this type of common-sense approach. I imagine some of the long-term recommendations of the 100 Day Budget Review Committee will include proposals to make the budget a more useful document for the City Council and the public to assess the priorities of City Hall. Unfortunately, I do not have the benefit of such an improved approach that would allow a more surgical review of City spending.

With that backdrop, I have done my best to identify spending areas that can safely be cut, and additional revenue areas that can reasonably be relied upon in the coming fiscal year.

To fund these additional expenditures on police officers, I recommend some combination of the following:

1) Cut $425,000 from the City budget through the elimination of positions as recommended by the City Manager and accepted by the 100 Day Budget Review Committee.
2) Cut $650,000 from the City budget that was allocated for the hiring of outside consultants.
3) Accept the $100,000 in department budget cuts from the City Attorney.
4) Utilize the anticipated $360,000 in annual savings from reduced letter of credit banking costs identified both by the 100 Day Budget Review Committee and the City staff.
5) Reallocate $731,000 by adjusting the employee vacancy rate utilized by the City for budgeting from the proposed 4% to 5% as recommended by the 100 Day Budget Review Committee.
6) Earmark $150,000 of anticipated net increased mill tax revenues that result from enhancing enforcement and collection of these as recommended by the 100 Day Budget Review Committee.
7) Endorse the process the City has undertaken to seek a COPS grant. COPS is a federal government program that assists local communities in funding police officers. If awarded the grant, the City would receive additional funding of $1,151,866 in Year
1, $1,161,556 in Year 2 and $576,325 in Year 3. It is anticipated that, if awarded, the Year 1 funding would become available around January of 2017. Please note that there is a local match requirement for this grant that has budget implications, especially in Year 3. You may obtain specific details about this from the City Manager.

8) If any these are infeasible, I would be comfortable recommending use of a portion of “one-time money” as gap funding for this proposal because I am highly confident that the long-term recommendations from the 100 Day Budget Review Committee will identify more than sufficient monies to cover any short-fall.

Many people have commented that not all the funding sources that have been considered are long-term or “sustainable” sources of funding. I agree. However, we should proceed with the addition of 22 police officers for the following reasons. First, as I noted above, many of the long-term recommendations of the 100 Day Budget Review Committee will lead to additional long-term or “sustainable” funding. Second, our City staff is quite adept at meeting the many challenges of budgeting within the real-world constraints the City of Modesto faces. I am confident that if the City Council makes a clear policy statement that the Council wants 22 more police officers that the City staff will implement that policy decision. Simply put, if the City Council chooses the funding priority of more police officers, I am confident the funding will be long-term and “sustainable,” barring another severe economic downturn.

As we undertake our budget duties, we also need to be careful not to rely on unsustainable budget gimmicks. For example, raising the City’s anticipated personnel vacancy rate from 4% to 5% could be attacked as a budget gimmick instead of proper budgeting. However, the 100 Day Budget Review Committee suggested 5% as a more realistic vacancy figure for an organization as large and complex as our City government. In addition, we cannot rely indefinitely, as we do in this year’s proposed budget, on funding “holidays” for certain City accounts such as the Information Technology Fund, the Liability Insurance Fund, the Workman’s Compensation Fund, and the like. To achieve a long term, sustainable budget, I believe we should devote significant effort before next year’s budget process seeking to eliminate such funding “holidays”. To this end, we should encourage the City Manager to continue the work he has undertaken to determine the appropriate funding levels of these funds for the long term.

Fulfilling my duties under City Charter Section 1303 to produce this Mayor’s Final Budget Modifications for the draft budget will no doubt create additional questions for members of the City Council. Because of this and since a number of City Council members were not able to attend the budget hearings, I suggest that we hold one or more additional full Council hearings on the budget to address all concerns.

When I ran for Mayor, I indicated that a first goal would be to re-prioritize our City budget in order to supplement public safety resources without tax increases. As I stated then, tax increases should be a last resort. This Final Budget Modifications message attempts to meet that priority.
As always, I am open to better ideas about how to achieve this priority. I look forward to input from the City Councilmembers who are entrusted by the citizens and taxpayers of Modesto with these decisions. I also welcome additional input from the City Manager, City staff, members of the 100 Day Budget Review Committee, and any other concerned citizen or group in our community.

In summary, I am confident that by working together, the City Council, our City Manager, all City employees, the 100 Day Budget Review Committee and all concerned citizens and taxpayers can immediately increase funding for additional police officers while continuing to strive for the long-term financial sustainability of our City for our taxpayers and for city operations.

With respect,

Ted Brandvold, Mayor
City of Modesto
Recommended Budget Principles

1. **Annually Adopt a Structurally Balanced Budget**
   A structurally balance budget means on-going revenues and on-going expenditures are in balance with on-going revenues meeting or exceeding expenditures during the same time period. If a structural imbalance occurs, a plan must be developed and implemented to bring the budget back into balance.

2. **Use of One-Time Resources**
   Once brought into balance, one-time revenues (excess reserves about reasonable risk calculations, revenue spikes, prior year budget savings, sale of property, etc) shall not be used for current or new on-going operating costs. Examples of appropriate uses of one-time revenues include early retirement of debt, capital expenditures without significant operating or maintenance costs, and other non-reoccurring expenditures.

3. **Budget Revisions**
   New programs, services, or staffing requests are considered in light of the Council's priorities and shall include a spending offset at the time of the request so that the request has a net-zero impact on the budget.

4. **Reserves**
   All City funds must maintain an adequate reserve level and/or ending fund balance as determined annually as appropriate for each fund. For the General Fund, the contingency reserve amount, which is a flat $7 million, shall be maintained. Any use of the General Fund contingency reserve will require a majority vote of the Council.

5. **Debt Issuance**
   Long-term General Fund debt will not be incurred to support on-going operating costs (other than debt service) unless such issuance achieves net operating cost savings and such savings can be independently verified. All General Fund debt issuances shall identify a method of repayment or have a dedicated revenue source.

6. **Employee Compensation**
   Recognizing that employees are the City's major resource, negotiations for employee compensation shall focus on the total compensation costs (e.g. increases in salary, steps, and benefit costs) while considering the City's fiscal condition, revenue growth, and changes in the cost of living.

7. **Capital Improvement Projects**
   Capital Improvement Projects shall not proceed for projects with annual operating and maintenance costs in the General Fund without City Council certification that funding will be available in the applicable year of the cost impact. Certification shall demonstrate that the entire cost of the project, including operating and maintenance costs, will not require a decrease in the City's core services.

8. **Fees and Charges**
   The development of fees and fee increases shall be utilized where appropriate to assure fee program costs are fully recovered by fee revenue.
9. Grants
Staff will seek out, apply for, and effectively administer grants that address the City’s priorities, policy objectives, and provide an overall positive benefit to the City. Before a grant is pursued, staff shall provide a detailed fiscal analysis addressing both the immediate and long-term costs and benefits of the grant. With the exception of pilot projects, one-time grant revenues shall not be used to begin or support the costs of ongoing programs.

10. General Plan
The General Plan is the primary long-term fiscal planning tool. Recommendations to create new development capacity beyond the existing General Plan shall be analyzed to ensure that capital improvements and operating/maintenance costs are within the City’s financial capabilities.

11. Performance Measurement
All requests for funding shall include performance measure data so funding requests can be reviewed and approved in light of anticipated service level outcomes.
City of Modesto Financial Policies

1. **Budget Adoption Level**: The city wide, legally adopted level for the budget of any program is by department at the Fund level.

2. **General Fund Reserve**: The Council has established the unappropriated reserve’s minimum level to be 8% of the current appropriations for operating expenditures and operating transfers-out.

3. **Forecasting Model**: For the General, Enterprise, Internal Service and Capital Project and other major funds the Finance Department will maintain either a 5 or 10-year financial forecasting model to assess the City’s ability to respond to changes in anticipated revenue levels, capital improvement program needs and changes proposed in operating costs. (The use of a 5 or 10-year model will depend on the conditions that apply to each fund.)

4. **Enterprise Funds and other Non-General Fund Operations**: These activities should be self-supporting and should maintain reserve levels that are adequate to protect against fluctuations in revenue and expenditure levels. Activities that deviate from this requirement shall be identified for the City Council annually at the time of budget adoption. Exempt from this requirement are those funds that account solely for grant funds.

5. **Inter-fund Loans and Loans to Component Units**: Loans between funds and loans to other component units of the city should be considered in light of a multi-year business plan that demonstrates a reasonable ability to repay the loan. All inter-fund loans and loans to component units, either existing or proposed, shall be identified for the City Council at the time of budget adoption. Generally, inter-fund loans and loans to component units shall be established with a repayment deadline that reflects the earliest feasible opportunity for repayment of the loan. Interest rates charged on the loan shall be based on the actual rate of return earned by the City’s investment portfolio during the 12-month period immediately preceding a payment date.

   a. Note that the terms and conditions for existing loans between the City and the former Redevelopment Agency are governed by one or more separate resolutions adopted at the time the loans were approved and are subject to the laws put into place by recent redevelopment dissolution legislation passed by the State of California.

6. **Interest Allocation**: Interest shall be allocated quarterly to all funds based on their average monthly balances during each quarter.

7. **Direct Charges between Funds**: Costs charged between funds such as force-account labor and other direct costs shall be charged on the basis of actual cost and not on the budgeted amount, unless a separate contract exists between the
managers of the two programs allowing the use of the budgeted amount as the basis for the charge.

8. **Inter-fund Transfers:** Unless direction is given at the time an inter-fund transfer is approved that the amount to be transferred between funds is not subject to adjustment based on a share of cost formula, all inter-fund transfers shall be based upon the sending fund's pro rata share of any project costs or other obligation that is the basis for the transfer. Therefore, a reconciliation of the share of costs allocable to the fund(s) from which resources are to be transferred shall be performed prior to the year-end closing of the city's financial records and shall become the basis for determining the actual amount of any resources to be transferred. It is the intent of this policy that any transfers designed to provide a subsidy to the operations of another fund shall not exceed the amount needed to provide sufficient resources to make revenues equal expenditures unless other direction is provided by the City Council.

All inter-fund transfers and their purpose shall be identified to the Council annually, at the time of the budget adoption.

9. **Multi-year Appropriations:** Appropriations for certain grants and on-going Capital Improvement Program projects that were authorized in previous years and that are not fully expended shall be deemed valid until revoked. Appropriations related to certain developer-funded expenditures may also be treated as multi-year appropriations.

10. **Fund Replacement Reserves:** In order to provide future resources for the replacement or repair of depreciable assets, each fund shall establish a list of depreciable assets, including useful lives and replacement costs that will determine the amount to be set-aside annually to allow the timely replacement or repair of these assets. Each program manager shall also establish a plan for funding the reserve and shall disclose the adequacy of the reserve level annually to the City Council as part of the annual budget adoption process.

11. **Grant and Entitlement Revenues:** The City of Modesto is modifying the period of availability related to the recognition of recording grant and entitlement revenues to 180 days effective July 1, 2015. This change is needed based on the timing of when grant billings are issued and how expenditures are accrued during the fiscal year.

12. **Budget Adjustment Authority:** The authority to approve any budget adjustment in the amount of $25,000 or less is delegated to the Director of Finance. The authority to approve any budget adjustment between $25,000 and $50,000 is delegated to the City Manager. Authority for any budget adjustment over $50,000 is delegated to the parties shown below:
City Council
   i. Appropriation of undesignated reserves
   ii. Appropriation of new revenues
      1. Does not include Developer Payments
   iii. Budgeting inter-fund transfers
      1. Does not include adjustments to budgeted transfers where
         the intent is to subsidize an enterprise operation as shown in
         item (v) under the City Manager’s budget adjustment
         authority
   iv. Creation of inter-fund loans
   v. Creation of, or increase in, any multi-year appropriation except for
      the allocation of interest
   vi. Addition of permanent staff positions
   vii. Appropriation of payments for new indebtedness including
        operating leases
   viii. All other budgetary actions not delegated to another official

City Manager
   i. Transfer appropriations between departments within a fund
   ii. Changing any capital equipment appropriation
   iii. Appropriate reserves for litigation on a case-by-case basis
   iv. Adjust operating program appropriation levels at his/her discretion
       to maintain the required 8% reserve level and any reserve levels
       for non-GF funds
   v. Adjustments to Inter-fund transfers intended to balance enterprise
      fund operations where the cumulative total of any adjustment
      does not increase the original City Council approved appropriation
      by more than $50,000
   vi. Appropriate Developer Payments not previously budgeted
      1. Annexation Deposits
      2. Special District Formation Deposits
      3. Developer Deposits to be recognized as revenue

Director of Finance
   i. Appropriate unbudgeted grant interest
   ii. Revise the allocation of Internal Service Fund charges between
       departments, provided that the total allocated amount does not
       increase (any such changes to the allocation shall not result in an
       increase or decrease to the total amount of discretionary
       appropriations provided to the affected departments)
   iii. Changing any CIP line item appropriation
   iv. Revoke multi-year appropriations
   v. Close Capital Improvement Program or Non-Capital projects
   vi. Make technical budget corrections to implement the intent of
       Council-approved actions and resolutions
Exhibit G - City of Modesto Financial Policies

vii. Transfer fiscal appropriations between sub-funds of a single fund
(except where this changes appropriation amounts for temporary
agency labor and/or capital equipment purchases over $5,000)

Department Director
i. Transfer appropriations within a department, within a single fund
(excludes appropriations related to capital equipment, capital
improvement program)
ii. Acting as a designee of the City Manager, the Parks, Recreation, &
Neighborhoods Director shall be authorized to appropriate private
donations or grants made to the Fund Development Program of
the Parks, Recreation, & Neighborhoods Department for specified
purposes up to $25,000

13 Fund Balance Information Requirements: The requirements of GASB Statement
No. 54 are intended to enhance the usefulness, including the understandability,
of fund balance information, in the financial statements. The City will spend the
most restricted dollars before less restricted, given equal eligibility, in the
following order:

Non-Spendable – if funds become spendable (inventories, prepaid amounts)
Restricted (grants, bond proceeds)
Committed (capital acquisitions, pending projects)
Assigned (purchase orders, encumbrances)
Unassigned (residual fund balance after deducting the other fund balance
categories)
MODESTO CITY COUNCIL
RESOLUTION NO. 2016-257

RESOLUTION AMENDING THE POSITION ALLOCATION FOR FISCAL YEAR 2016-17 AS ADOPTED IN THE OPERATING BUDGET

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

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

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

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

WHEREAS, position changes will be effective the first full pay period following Council adoption, (Pay Period beginning June 28, 2016), and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Position Allocation and the Fiscal Year 2016-17 Operating Budget for various departments as follows:

1. Remove one (1) Business Analyst in the Administration Division of the Community & Economic Development Department.
2. Reallocate one (1) Business Analyst to one (1) Senior Business Analyst in the Administration Division of the Community & Economic Development Department.

3. Allocate one (1) Economic Development Marketing Specialist in the Administration Division of the Community & Economic Development Department.

4. Remove one (1) Assistant City Attorney in the City Attorney’s Office and reduce the Salary and Benefit budget allocation and transfer said funding to the Legal Services account in the City Attorney’s Office.

5. Remove one (2) Senior Deputy City Attorneys in the City Attorney’s Office and reduce the Salary and Benefit budget allocation and transfer said funding to the Legal Services account in the City Attorney’s Office.

6. Remove one (1) Legal Secretary II in the City Attorney’s Office and reduce the Salary and Benefit budget allocation and transfer said funding to the Legal Services account in the City Attorney’s Office.

7. Remove one (1) Assistant Chief Building Official in the Building Safety Division of the Community & Economic Development Department.

8. Reallocate one (1) Plans Examiner to one (1) Building Safety Program Coordinator in the Building Safety Division of the Community & Economic Development Department.

9. Remove one (1) Centre Plaza Manager in the Cultural Services Administration Division of the Community & Economic Development Department.
10. Move two (2) Parks Project Coordinator positions in the Park Planning and Development Division, Cost Center 14460 in Community and Economic Development Department, to Cost Center 32020 in Parks Recreation and Neighborhoods Department.

11. Remove one (1) Central Stores Supervisor in the Central Stores Division of the Finance Department.

12. Remove one (1) Senior Administrative Office Assistant (Confidential) in the Customer Services Administration Division of the Finance Department.

13. Remove one (1) Senior Buyer in the Purchasing Division of the Finance Department.

14. Reallocate one (1) Executive Assistant Unrep to one (1) Office Supervisor in the Administration Division of the Human Resources Department.

15. Remove one (1) .60 allocation Administrative Office Assistant III (Confidential) in the Administration Division of the Human Resources Department.

16. Allocate one (1) Director of Human Resources in the Administration Division of the Human Resources Department.

17. Allocate one (1) Senior Human Resources Analyst in the Administration Division of the Human Resources Department.

18. Remove one (1) Employee Benefits Manager in the Employee Benefits Administration Division of the Human Resources Department.

19. Allocate one (1) .50 Administrative Office Assistant III (Confidential) in the Risk Management Division of the Human Resources Department.
20. Allocate one (1) Senior Software Analyst in the Business Application/Development Services Division of the Information Technology Department.


22. Allocate three (3) Police Community Service Officer II in the Field Operations Division of the Police Department.

23. Allocate one (1) Police Identification Technician II in the Investigative Services Division of the Police Department.

24. Allocate four (4) Police Clerk II in the Records and Support Division of the Police Department.

25. Freeze one (1) EMS Coordinator position in the Administration and Officers Division of the Fire Department.

26. Remove one (1) Fire Captain in the Investigations Division of the Fire Department.

27. Remove three (3) Fire Captain in the Suppression Division of the Fire Department.

28. Remove one (1) Fire Engineer in the Suppression Division of the Fire Department.

29. Remove two (2) Fire Fighter in the Suppression Division of the Fire Department.

30. Remove one (1) 0.75 Recreation Coordinator in the Administration Division of the Parks, Recreation & Neighborhoods Department.
31. Increase one (1) 0.75 Recreation Coordinator in the Recreation Administration Division of the Parks, Recreation & Neighborhoods Department.

32. Increase one (1) 0.75 to one (1) 1.0 FTE Recreation Coordinator in the Recreation Administration Division of the Parks, Recreation & Neighborhoods Department.

33. Remove one (1) 0.75 Recreation Coordinator in the Recreation Administration Division of the Parks, Recreation & Neighborhoods Department.

34. Increase one (1) 0.75 Recreation Coordinator in the After School Programs Division of the Parks, Recreation & Neighborhoods Department.

35. Increase one (1) .75 to one (1) 1.0 FTE Recreation Coordinator in the After School Programs Division of the Parks, Recreation & Neighborhoods Department.

36. Increase two (2) .75 to two (2) 1.0 FTE Recreation Coordinator in the Senior and Children’s Services Division of the Parks, Recreation & Neighborhoods Department.

37. Remove one (1) Tree Trimmer Crewleader in the Community Forestry Division of the Public Works Department.

38. Remove four (4) Tree Trimmer in the Community Forestry Division of the Public Works Department.

39. Remove two (2) Equipment Operator in the Community Forestry Division of the Public Works Department.

40. Remove one (1) Administrative Analyst II in the Greenhouse gas Emission Reduction Program Division of the Public Works Department.
41. Remove one (1) Maintenance Worker II in the Parking Services Division of the Public Works Department.

42. Reallocate one (1) Administrative Office Assistant I to one (1) Administrative Office Assistant II in the Solid Waste Management Division of the Public Works Department.

43. Remove two (2) Equipment Operator in the Street Maintenance Division of the Public Works Department.

44. Remove one (1) Administrative Office Assistant III in the Traffic Engineering Division of the Public Works Department.

45. Remove one (1) Senior Administrative Office Assistant (Confidential) in the Traffic Engineering Division of the Public Works Department.

46. Reallocate one (1) Associate Land Surveyor to one (1) Senior Land Surveyor in the Construction Administration Division of the Utilities Department.

47. Reallocate one (1) Assistant Land Surveyor to one (1) Associate Land Surveyor in the Construction Administration Division of the Utilities Department.

48. Reallocate one (1) Construction Inspector to one (1) Senior Construction Inspector in the Construction Administration Division of the Utilities Department.

49. Reallocate one (1) Senior Administrative Office Assistant to one (1) Administrative Services Technician in the Construction Administration Division of the Utilities Department.
50. Reallocate two (2) Plant Mechanic II to two (2) Senior Plant Mechanic in the Jenneys Plant Maintenance Division of the Utilities Department.

51. Reallocate one (1) Plant Mechanic II to one (1) Senior Utilities Services Worker in the Jennings Plant Maintenance Division of the Utilities Department.

52. Reallocate two (2) Plant Mechanic II to two (2) Senior Plant Mechanic in the Sutter Plant Maintenance Division of the Utilities Department.

53. Remove one (1) Administrative Office Assistant II in the Wastewater Collections Administration Division of the Utilities Department.

54. Remove one (1) Senior Administrative Office Assistant in the Wastewater Operations Administration Division of the Utilities Department.

55. Reallocate two (2) Utilities Plant Operator II to two (2) Senior Utilities Plant Operator in the Wastewater Plant Operations Division of the Utilities Department.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the City Manager or designee is hereby authorized to execute the agreement.
The foregoing resolution was adopted at a special meeting of the Council of the City of Modesto held on the 21st day of June, 2016, by Councilmember Grewal, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION AMENDING EXHIBIT "A" OF RESOLUTION NO. 2015-434 TO REVISE THE CLASS RANGE TABLE FOR GENERAL NON-SWORN CLASSES

WHEREAS, the City Council desires to amend Exhibit "A" of Resolution No. 2015-434, which approved the Class Range Table for General Non-Sworn Classes,

WHEREAS, the positions will be effective upon Council adoption,

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

SECTION I. AMENDMENT TO RESOLUTION NO. 2015-434. Exhibit "A" entitled, "City of Modesto Class Range Table General Non-Sworn Classes," attached to Resolution No. 2015-434, is hereby amended as shown on the amended Exhibit "A" entitled "City of Modesto Class Range Table General Non-Sworn Classes Effective June 28, 2016", which is attached hereto and made a part hereof as though set forth in full herein. Said Exhibit "A" amends the Class Range Table as follows:

1. Delete Assistant Land Surveyor from salary range 133

SECTION II. EFFECTIVE DATE. This resolution shall become effective on and after June 28, 2016.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the City Manager or designee is hereby authorized to execute the agreement.
The foregoing resolution was introduced in a special meeting of the Council of the City of Modesto held on the 21st day of June, 2016, by Councilmember Grewal, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST:  

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
</table>
| 103   | Administrative Office Assistant I  
|       | Custodian I |
| 106   | Engineering Intern |
| 107   | Administrative Office Assistant II  
|       | Custodian II  
|       | Exhibits Coordinator |
| 109   | Account Clerk I  
|       | Customer Services Account Clerk I |
| 111   | Account Clerk II  
|       | Administrative Office Assistant III  
|       | Custodian Crewleader  
|       | Customer Services Account Clerk II |
| 114   | Electrician Assistant I  
|       | Equipment Service Technician  
|       | Maintenance Worker I  
|       | Production Technician  
|       | Storeskeeper |
| 115   | Plant Mechanic Trainee  
|       | Senior Administrative Office Assistant  
|       | Senior Customer Services Account Clerk |
| 116   | Electrical and Instrumentation Technician Trainee |
| 118   | Airport Maintenance Worker  
|       | Electrician Assistant II  
|       | Fleet Procurement Technician  
|       | Groundskeeper  
|       | Maintenance Worker II  
|       | Senior Storeskeeper  
|       | Tree Trimmer |
| 119   | Account Technician  
|       | Code Enforcement Officer I -Neighborhood Preservation Unit  
|       | Customer Services Account Technician |
| 120   | Administrative Services Technician I  
<p>|       | Assistant Buyer |</p>
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<tr>
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<tr>
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<td>Laboratory Analyst I</td>
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<td></td>
<td>Parking Services Crewleader</td>
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<td></td>
<td>Utilities Services Worker I</td>
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<td>121</td>
<td>Utilities Plant Operator Trainee</td>
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<td>Water Resource Specialist</td>
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<td>Accountant I</td>
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<td></td>
<td>Equipment Operator</td>
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<td>Parks Maintenance Crewleader</td>
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<td></td>
<td>Recreation Coordinator</td>
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<td>Tree Trimmer Crewleader</td>
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<td>123</td>
<td>Building Maintenance Technician</td>
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<tr>
<td></td>
<td>Code Enforcement Officer II -Neighborhood Preservation Unit</td>
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<tr>
<td></td>
<td>Development Services Technician I</td>
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<td></td>
<td>Engineering Assistant Trainee</td>
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<td></td>
<td>Equipment Mechanic</td>
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<td>Parks Maintenance Mechanic</td>
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<td>Plant Mechanic I</td>
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<td>Solid Waste Enforcement Officer</td>
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<td></td>
<td>Welder/Fabricator</td>
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<td>124</td>
<td>Administrative Services Technician II</td>
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<td></td>
<td>Community Development Program Specialist I</td>
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<td>Cross Connection Specialist</td>
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<td></td>
<td>Environmental Compliance Inspector I</td>
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<td></td>
<td>Fire Equipment Mechanic</td>
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<td></td>
<td>Heavy Equipment Mechanic</td>
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<td>Laboratory Analyst II</td>
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<td>Utilities Services Worker II</td>
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<td>Water Conservation Specialist</td>
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<tr>
<td></td>
<td>Water Meter Technician</td>
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<td>125</td>
<td>Development Services Technician II</td>
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<td></td>
<td>Plant mechanic II</td>
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<tr>
<td></td>
<td>Utilities Plant Operator I</td>
</tr>
<tr>
<td>126</td>
<td>Airport Maintenance Crewleader</td>
</tr>
<tr>
<td></td>
<td>Head Groundskeeper</td>
</tr>
<tr>
<td></td>
<td>Housing Financial Specialist</td>
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<td>RANGE</td>
<td>TITLE</td>
</tr>
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<td>-------</td>
<td>-------</td>
</tr>
</tbody>
</table>
| Housing Rehabilitation Specialist I  
Senior Equipment Operator |
| 127 | Engineering Assistant I  
Equipment Mechanic Crewleader  
Traffic Operations Technician |
| 128 | Building Inspector I  
Building Maintenance Specialist  
Community Development Program Specialist II  
Electrical and Instrumentation Technician  
Electrician - Traffic and Buildings  
Environmental Compliance Inspector II  
Heavy Equipment Mechanic Crewleader  
Maintenance Planning Technician  
Senior Fire Equipment Mechanic  
Utilities Plant Operator II  
Utilities Services Worker III |
| 129 | Senior Plant Mechanic  
Traffic Striping Crewleader |
| 130 | Construction Inspector  
Housing Rehabilitation Specialist II  
Laboratory Analyst III  
Operations Crewleader |
| 131 | Engineering Assistant II |
| 132 | Building Inspector II  
Environmental Review Specialist  
Senior Environmental Compliance Inspector  
Senior Utilities Plant Operator  
Senior Utilities Services Worker |
| 134 | Plans Examiner  
Senior Construction Inspector |
| 135 | Engineering Project Coordinator |
| 136 | Senior Building Inspector |
RESOLUTION AMENDING EXHIBIT “A” OF RESOLUTION NO. 2016-148 TO REVISE THE CLASS RANGE TABLE FOR REPRESENTED MANAGEMENT AND CONFIDENTIAL NON-SWORN CLASSES

WHEREAS, the City Council desires to amend Exhibit “A” of Resolution No. 2016-148, which approved the Class Range Table for Represented Management and Confidential Non-Sworn Classes,

WHEREAS, the positions will be effective upon Council adoption,

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

SECTION I. AMENDMENT TO RESOLUTION NO. 2016-148. Exhibit "A" entitled, "City of Modesto Class Range Table Represented Management and Confidential Non-Sworn Classes," attached to Resolution No. 2016-148, is hereby amended as shown on the amended Exhibit “A” entitled “City of Modesto Class Range Table Represented Management and Confidential Non-Sworn Classes Effective June 28, 2016”, which is attached hereto and made a part hereof as though set forth in full herein. Said Exhibit “A” amends the Class Range Table as follows:

1. Add Assistant Surveyor to salary range 432
2. Add Economic Development Marketing Specialist to salary range 438
3. Add Senior Land Surveyor to salary range 444
4. Amend the title of Building Inspection Program Coordinator to Building Safety Program Coordinator at salary range 444
5. Delete Modesto Regional Fire Authority Information Technology Technician from salary range 422
6. Delete Modesto Regional Fire Authority Finance Manager from salary range

SECTION II. EFFECTIVE DATE. This resolution shall become effective on and after June 28, 2016.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the City Manager or designee is hereby authorized to execute the agreement.

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AYES: Councilmembers: Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]

STEFANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
<table>
<thead>
<tr>
<th>RANGE</th>
<th>TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>407</td>
<td>Administrative Office Assistant II (Confidential)</td>
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<tr>
<td>411</td>
<td>Administrative Office Assistant III (Confidential)</td>
</tr>
<tr>
<td>412</td>
<td>Police Clerk II (Confidential)</td>
</tr>
<tr>
<td>415</td>
<td>Senior Administrative Office Assistant (Confidential)</td>
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<tr>
<td>416</td>
<td>Legal Secretary I</td>
</tr>
<tr>
<td>418</td>
<td>Systems Technician I</td>
</tr>
<tr>
<td>419</td>
<td>Account Technician (Confidential)</td>
</tr>
<tr>
<td>420</td>
<td>Administrative Services Technician I (Confidential)</td>
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<td></td>
<td>Executive Assistant</td>
</tr>
<tr>
<td></td>
<td>Legal Secretary II</td>
</tr>
<tr>
<td></td>
<td>Workers' Compensation Claims Assistant</td>
</tr>
<tr>
<td>421</td>
<td>Deputy City Clerk</td>
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<tr>
<td>422</td>
<td>Office Supervisor</td>
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<tr>
<td></td>
<td>Senior Legal Secretary</td>
</tr>
<tr>
<td></td>
<td>Systems Technician II</td>
</tr>
<tr>
<td>423</td>
<td>Custodian Supervisor</td>
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<tr>
<td></td>
<td>Workers' Compensation Claims Examiner I</td>
</tr>
<tr>
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<td>Administrative Services Technician II (Confidential)</td>
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<td>Buyer</td>
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<td>425</td>
<td>Employee Benefits Coordinator</td>
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<td>Central Stores Supervisor</td>
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<td></td>
<td>Financial Analyst I</td>
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<td></td>
<td>Senior Systems Technician</td>
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<td>427</td>
<td>Administrative Analyst I</td>
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<td>Parking Services Supervisor</td>
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<td></td>
<td>Technology Solutions Analyst I</td>
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<td></td>
<td>Utility Dispatch Supervisor</td>
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<td>TITLE</td>
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</tbody>
</table>
| 428   | Animal Control Supervisor  
        Assistant Planner  
        Human Resources Analyst I  
        Workers' Compensation Claims Examiner II |
| 429   | Assistant City Clerk  
        Parking Adjudication Program Coordinator  
        Police Range and Training Center Coordinator |
| 430   | Financial Analyst II  
        Senior Buyer  
        Software Analyst I  
        Systems Engineer I |
| 431   | Administrative Analyst II  
        Events Coordinator  
        Police Civilian Supervisor  
        Technology Solutions Analyst II |
| **432** | **Assistant Surveyor**  
        Associate Planner  
        Compost Facility Supervisor  
        Human Resources Analyst II  
        Junior Engineer  
        Neighborhood Preservation Supervisor  
        Operations Supervisor  
        Senior Workers' Compensation Claims Examiner |
| 433   | Water Resources Analyst  
        Recreation Supervisor |
| 434   | Customer Services Supervisor  
        Financial Analyst III  
        Parks Project Coordinator  
        Recycling Program Coordinator  
        Software Analyst II  
        Systems Engineer II |
| 435   | Assistant Transportation Planner  
        Business Analyst  
        Cultural Services Program Manager  
        Emergency Medical Services Coordinator |
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<thead>
<tr>
<th>RANGE</th>
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<tr>
<td></td>
<td>Management Analyst</td>
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<td>Organizational Development Coordinator</td>
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<td>Transit Analyst</td>
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<td>Weed and Seed Program Coordinator</td>
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<td>436</td>
<td>Assistant Engineer</td>
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<td>Electrical Supervisor</td>
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<td></td>
<td>Housing Rehabilitation Supervisor</td>
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<tr>
<td></td>
<td>Senior Crime and Intelligence Analyst</td>
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<tr>
<td>438</td>
<td><strong>Economic Development Marketing Specialist</strong></td>
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<td>Associate Land Surveyor</td>
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<td>Electrical Supervisor - Utilities</td>
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<td>Environmental Services Supervisor</td>
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<td>Integrated Waste Specialist</td>
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<td>Laboratory Supervisor</td>
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<td></td>
<td>Materials Management Superintendent/City Arborist</td>
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<td>Plant Maintenance Supervisor</td>
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<td></td>
<td>Property Agent</td>
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<td></td>
<td>Public Safety Business Services Analyst</td>
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<td>Risk and Loss Control Coordinator</td>
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<td>Senior Community Development Program Specialist</td>
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<td></td>
<td>Senior Financial Analyst</td>
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<td>Senior Human Resources Analyst</td>
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<td>Senior Planner</td>
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<td>Senior Systems Engineer</td>
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<td>Administrative Services Officer</td>
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<td>Senior Business Analyst</td>
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<td>Associate Engineer</td>
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<td>Deputy Fire Marshal</td>
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<td>Public Information Coordinator</td>
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<td>Utilities Services Supervisor</td>
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<td>Utilities Plant Operations Supervisor</td>
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<td>TITLE</td>
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</tbody>
</table>
| 441   | Housing and Urban Development Supervisor  
        | Infrastructure Financing Program Supervisor  
        | Police Civilian Manager |
| 442   | Centre Plaza Manager  
        | Construction Inspection Supervisor  
        | Customer Services Manager  
        | Environmental Regulatory Compliance Manager  
        | Parks Planning and Development Manager  
        | Principal Information Technology Administrator  
        | Purchasing Manager  
        | Recreation Program Manager |
| 443   | Associate Civil/Traffic Engineer  
        | Senior Transportation Planner |
| 444   | **Building Safety Program Coordinator**  
        | Building Inspection Supervisor  
        | Plant Maintenance Superintendent  
        | **Senior Land Surveyor**  
        | Water Superintendent |
| 445   | Airport Manager  
        | Fleet Manager  
        | Streets Manager |
| 446   | Accounting Manager  
        | Principal Planner |
| 447   | Traffic Operations Engineer  
        | Wastewater Collections Systems Manager  
        | Water Quality Control Plant Manager  
        | Water Systems Manager |
| 448   | Information Technology Manager  
        | Operations Manager  
        | Recreation and Neighborhoods Services Manager  
        | Transit Manager  
<pre><code>    | Solid Waste Program Manager |
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<tr>
<td>449</td>
<td>Assistant Chief Building Official</td>
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<td>Business Center Manager</td>
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<td>Community Development Manager</td>
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<td>Planning Manager</td>
</tr>
<tr>
<td></td>
<td>Senior Civil Engineer</td>
</tr>
<tr>
<td>452</td>
<td>Parks Recreation &amp; Neighborhoods Operations Manager</td>
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<td>Traffic Engineer</td>
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<td>453</td>
<td>Chief Building Official</td>
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<td>455</td>
<td>Engineering Division Manager</td>
</tr>
<tr>
<td>457</td>
<td>City Engineer</td>
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RESOLUTION AMENDING THE CLASSIFICATION PLAN FOR THE CITY OF MODESTO TO CREATE VARIOUS CLASSIFICATIONS CONSISTANT WITH ECONOMIC DEVELOPMENT MARKETING SPECIALIST AND SENIOR LAND SURVEYOR; AMEND THE TITLE OF THE CLASSIFICATION OF BUILDING INSPECTION PROGRAM COORDINATOR TO BUILDING SAFETY PROGRAM COORDINATOR; TO AMEND THE TITLE OF THE CLASSIFICATION OF ASSISTANT LAND SURVEYOR TO ASSISTANT SURVEYOR AND TO COMBINE THE ASSISTANT SURVEYOR WITH THE ASSOCIATE LAND SURVEYOR TO CREATE A "FLEX" CLASSIFICATION; AND TO DELETE THE CLASSIFICATIONS OF MODESTO REGIONAL FIRE AUTHORITY INFORMATION TECHNOLOGY TECHNICIAN AND MODESTO REGIONAL FIRE AUTHORITY FINANCE MANAGER

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 2008-681 pursuant to Rule 2.2 of the Personnel Rules and Regulations of the City of Modesto, and

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

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,

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

SECTION I. CLASSIFICATION PLAN AMENDED. The Position Classification Plan of the City of Modesto is hereby amended to create the classifications of Economic Development Marketing Specialist to salary range 438 and Senior Land Surveyor to salary range 444; to amend the title of the classification of Building Inspection Program Coordinator to Building Safety Program Coordinator; to amend the
title of the classification of Assistant Land Surveyor to Assistant Surveyor and to combine the Assistant Surveyor with the Associate Land Surveyor to create a “flex” classification; and to delete the classifications of Modesto Regional Fire Authority Information Technology Technician from salary range 422 and Modesto Regional Fire Authority Finance Manager from salary range 438.

SECTION 2. EFFECTIVE DATE. This resolution shall become effective on and after June 28, 2016.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the City Manager or designee is hereby authorized to execute the agreement.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of June, 2016, by Councilmember Grewal, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO CONFIDENTIAL AND MANAGEMENT ASSOCIATION (MCMA) REGARDING THE GRANDFATHERING OF ONE (1) INCUMBENT IN THE ALLOCATION OF BUILDING SAFETY PROGRAM COORDINATOR FOR MEETING THE MINIMUM QUALIFICATION REQUIREMENTS PRIOR TO THE AMENDMENT OF THE CLASSIFICATION SPECIFICATION WHICH WILL NOW INCLUDE THE CERTIFIED ACCESS SPECIALIST (CASp) PROGRAM CERTIFICATION

WHEREAS, on July 1, 2010 Senate Bill No. 1608 (2)(d)(1) made it a requirement that local agencies shall employ or retain at least one building inspector who is a certified access specialist, and

WHEREAS, on January 1, 2014 Senate Bill No. 1608 (2)(d)(1) made it a requirement that local agencies shall employ or retain a sufficient number of building inspectors who are certified access specialist, and

WHEREAS, on January 27, 2015, the Community and Economic Development Department (CEDD) requested review of the Building Inspection Program Coordinator job specification for inclusion of the Certified Access Specialist (CASp) program certification, and

WHEREAS, on May 6, 2016, the Human Resources Department completed an audit of the position of Building Inspection Program Coordinator and recommended the successful obtainment of the Certified Access Specialist (CASp) program certification within eighteen (18) months of appointment be added to the minimum requirements of the classification and that the title be changed to Building Safety Program Coordinator, and
WHEREAS, in adding this additional requirement one (1) incumbent currently holding the classification will no longer meet the minimum requirements of the position, and

WHEREAS, representatives of the CITY requested from MCMA the approval to grandfather the incumbent into the minimum qualifications that he meet upon entering the job and to not request that he be made to obtain said certification, and

WHEREAS, MCMA agreed with the City’s recommendation to not displace the current incumbent due to the minimum qualification changes, and

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

WHEREAS, the Council considered this matter at its meeting of June 21, 2016,

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

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the City Manager or designee is hereby authorized to execute the agreement.
The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of June, 2016, by Councilmember Grewal, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
LETTER OF AGREEMENT
Between
City of Modesto
And
Modesto Confidential and Management Association (MCMA)

Building Safety Program Coordinator

The Human Resources department recently completed a Single-Class Audit following the submittal of a Position Inventory Questionnaire (PIQ) submitted by the Community and Economic Development. During the review of the PIQ, Senate Bill No. 1608 (below) led the department to recommend changes to the Building Inspection Program Coordinator.

Per Senate Bill No. 1608, Chapter 549, PART 2.52, Section 55.53:

- (2)(d)(1) Commencing July 1, 2010, a local agency shall employ or retain at least one building inspector who is a certified access specialist.
- (2)(d)(1) Commencing January 1, 2014, a local agency shall employ or retain a sufficient number of building inspectors who are certified access specialist to conduct permitting and plan check services to review for compliance with state construction-related accessibility standards by a place of public accommodation with respect to new construction, including, but not limited to, projects relating to tenant improvements that may impact access.

The above referenced Senate Bill confirms that it would be in the best interest of the City of Modesto to employ individuals that have obtained the mentioned Certified Access Specialist (CASp) program certification. During the desk audit, it was determined that the best position for this requirement was the Building Inspection Program Coordinator. The following job specification changes will be recommended to Council for approval:

TITLE
From: Building Inspection Program Coordinator
To: Building Safety Program Coordinator
- This position encompasses a wide array of scope and authority over the entire permitting process. The word “Safety” better describes the work conducted by this position.

EXPERIENCE
License or Certificate:
- ADD – “Possession of the Certified Access Specialist (CASp) program certification is required within eighteen (18) months of appointment.”
- ADD – “Failure to obtain the required certification may result in demotion to a previously held classification or termination.”

Due to the change in Experience, the current incumbent within the second allocation of this position, Bert Lippert, will no longer meet the minimum requirements for the job that he is
holding. It is the recommendation of the Human Resources Department that Bert is grandfathered into meeting the minimum requirements of this position and **not** be required to complete the Certified Access Specialist (CASp) program certification. This would take effect on the adoption by Council of the job specification changes. At no time during Bert’s employment within the classification of Building Safety Program Coordinator would he be required to complete the before mentioned certification. Following Bert’s exit from this classification, all future candidates would be required to meet the standards set forth within the job specification change.

If MCMA agrees with this one-time exception, please sign, date and return this side Letter of Agreement to the Human Resources department.

City of Modesto:  
Joe Lopez  
Deputy City Manager

Modesto Confidential Management Association:  
Laurie Smith  
MCMA President

Jim Holgersson  
City Manager

Kim Gillingham  
Goyette & Associates