RESOLUTION APPOINTING JOSEPH CAHILL TO THE CITY OF MODESTO LANDMARK PRESERVATION COMMISSION WITH A TERM EXPIRATION OF JANUARY 1, 2021

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

WHEREAS, Joseph Cahill meets the requirements of the position and is willing to serve on the Commission, and

WHEREAS, the Appointments Committee met on June 1, 2017 and recommended appointment of Joseph Cahill to the Modesto Landmark Preservation Commission.

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

1. Joseph Cahill is hereby appointed to the Modesto Landmark Preservation Commission with a term expiration of January 1, 2021.

2. The City Clerk is hereby directed to transmit a copy of this resolution to the appointed member of the Modesto Landmark Preservation Commission, and the Secretary thereof.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, 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)

APPROVED AS TO FORM:

By: 

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROPVING A FOURTH AMENDMENT TO THE LEGAL SERVICES AGREEMENT DATED JULY 3RD, 2014 WITH BORTON PETRINI, LLP IN AN AMOUNT NOT TO EXCEED $17,200 TO FINALIZE BILLING

WHEREAS, the City entered into an agreement with Borton Petrini, LLP, in the amount $40,000 to represent the City in the following types of cases: tort, trip and fall, sidewalk, road and other similar cases; and

WHEREAS, by Resolution No. 2015-199, City approved a First Amendment, with an increased budget of $30,000 for continued representation; and

WHEREAS, by Resolution No. 2016-290, City approved a Second Amendment, with an increased budget of $95,000 for continued representation; and

WHEREAS, by Resolution No. 2016-507, City approved a Third Amendment, with an increased budget of $30,000 for continued representation; and

WHEREAS, in January of this year the City terminated its relationship with Borton & Petrini, LLP; and

WHEREAS, the City Attorney’s office has been negotiating outstanding invoices and asking for a percentage to be written-off; and

WHEREAS, the City Attorney’s office has drafted a Fourth Amendment to the Legal Services Agreement with Borton Petrini, LLP to finalize billing.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the City of Modesto to execute a Fourth Amendment to the Legal Services Agreement with Borton Petrini, LLP, in an amount not to exceed $17,200 to finalize billing, as provided in Exhibit A attached hereto and incorporated herein, and
further authorizes the City Attorney to execute such agreement in a form substantially similar to Exhibit A.

The foregoing resolution was introduced in a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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]

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
FOURTH AMENDMENT TO LEGAL SERVICES AGREEMENT

This Fourth Amendment for Legal Services (this “Fourth Amendment”), is made and entered into on ____ day of _____, 2017 (“Effective Date”), by and between the CITY OF MODESTO, a California Municipal Corporation (“City”), and BORTON PETRINI, LLP a Professional Corporation (“Attorney”), located at 201 Needham Street, Modesto, California 95354. City and Attorney are hereinafter collectively referred to as the “Parties,” and singularly as “Party”.

RECITALS

WHEREAS, City and Attorney entered into a Legal Services Agreement (“Agreement”) to provide legal advice, representation and assistance to City in defense of tort claims, as assigned; and

WHEREAS, Attorney is specially trained, experienced and competent to perform such services; and

WHEREAS, the public interest, economy and general welfare will be served by the Agreement; and

WHEREAS, City and Attorney desire to amend the Agreement to finalize billing by increasing the previously approved amount of fees from $195,000 to $212,200.

NOW, THEREFORE, it is hereby agreed that the Legal Services Agreement between the City of Modesto and Borton Petrini, LLP dated July 3rd, 2014, amended by Resolution No. 2015-199, 2016-290 and 2016-507 is amended as follows:

1. Section 2(a) of Paragraph 2, “Fees and Costs,” Hourly Rates is amended to state as follows:

“The total of all fees paid to Attorney for the performance of all services set forth in Section 1 (thereafter the “Service”), and for all authorized Reimbursable Expenses (as defined hereafter), shall not exceed a total sum of two hundred and twelve thousand and two hundred dollars ($212,200).”

2. Entire Agreement. The parties to this Fourth Amendment understand and agree that except as stated herein all terms and conditions of the original Agreement, remain in full force and effect to the extent they are not in conflict with this Fourth Amendment. This document, including all exhibits, contain the entire agreement between the Parties and supersedes whatever oral or written understanding they may have had prior to the execution of this Fourth Amendment. No alteration to the terms of this Fourth Amendment shall be valid unless approved in writing by Attorney and by City, in accordance with applicable provision of the Modesto City Code.
3. Authority. The person signing this Fourth Amendment for Attorney hereby represents and warrants that he/she is fully authorized to sign this Fourth Amendment on behalf of Attorney and to bind Attorney to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the Parties have executed this Fourth Amendment as of the dates stated below.

CITY OF MODESTO,
A Municipal Corporation

By: ________________________________

Print name: Joseph P. Lopez

Title: Interim City Manager

APPROVED TO AS FORM:

_______________________________
Adam U. Lindgren, City Attorney

ATTEST:

_______________________________
Stephanie Lopez, City Clerk

[Signatures Continued on Next Page.]
ATTORNEY:
BORTON PETRINI, LLP
a Professional Corporation

________________________________________

Federal I.D. No.

________________________________________

State I.D. No.

________________________________________


TYPE OF BUSINESS ENTITY (check one):

____ Individual/Sole Proprietor
____ Partnership
____ Corporation
____ Limited Liability Company
____ Other (please specify: ______________________)

________________________________________

Signature of Authorized Person

________________________________________

Title

________________________________________

Additional Signature (if required)

________________________________________

Title
RESOLUTION APPROVING A SECOND AMENDMENT TO THE LEGAL SERVICES AGREEMENT DATED AUGUST 8TH, 2016 WITH LIEBERT CASSIDY WHITMORE IN AN AMOUNT NOT TO EXCEED $47,500 TO CONTINUE REPRESENTING THE CITY OF MODESTO IN LABOR AND EMPLOYMENT MATTERS

WHEREAS, the City Attorney's Office is in need of outside counsel services that relate to labor and employment; and

WHEREAS, Liebert Cassidy Whitmore has concluded the arbitration and currently represents the City in one lawsuit; and

WHEREAS, the City Attorney's Office desires to extend the agreement with Liebert Cassidy Whitmore; and

WHEREAS, the City Attorney's office has drafted a Second Amendment to the Legal Services agreement with Liebert Cassidy Whitmore to continue services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the City of Modesto to execute a Second Amendment to the Legal Services Agreement with Liebert Cassidy Whitmore in an amount not to exceed $47,500 to continue representing the City of Modesto in labor and employment matters, as provided in Exhibit A attached hereto and incorporated herein, and further authorizes the City Attorney to execute such agreement in a form substantially similar to Exhibit A.
The foregoing resolution was introduced in a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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
SECOND AMENDMENT TO LEGAL SERVICES AGREEMENT

This Second Amendment for Legal Services (this "Second Amendment"), is made and entered into on ______ day of ________ 2017 ("Effective Date"), by and between the CITY OF MODESTO, a California Municipal Corporation ("City"), and LIEBERT CASSIDY WHITMORE, ("Attorney"), located at 5250 N. Palm Avenue, Suite 310, Fresno, California 93704. City and Attorney are hereinafter collectively referred to as the "Parties," and singularly as "Party".

RECITALS

WHEREAS, City and Attorney entered into a Legal Services Agreement ("Agreement") for services for legal advice, representation and assistance on matters involving labor and employment law; and

WHEREAS, Attorney is specially trained, experienced and competent to perform such services; and

WHEREAS, the public interest, economy and general welfare will be served by the Agreement; and

WHEREAS, City and Attorney desire to amend the Agreement for further service by increasing the previously approved amount of fees from $155,000 to $202,500.

NOW, THEREFORE, it is hereby agreed that the Legal Services Agreement between the City of Modesto and Liebert Cassidy Whitmore, dated August 8th, 2016, and amended on December 13th, 2016 by Resolution 2016-510 is amended as follows:

1. Section 2(a) of Paragraph 2, "Fees and Costs," Hourly Rates is amended to state as follows:

   "The total of all fees paid to Attorney for the performance of all services set forth in Section 1 (thereafter the "Service"), and for all authorized Reimbursable Expenses (as defined hereafter), shall not exceed a total sum of two hundred and two thousand and five hundred dollars ($202,500)."

2. Entire Agreement. The parties to this Second Amendment understand and agree that except as stated herein all terms and conditions of the original Agreement, dated August 8th, 2016, remain in full force and effect to the extent they are not in conflict with this Second Amendment. This document, including all exhibits, contain the entire amendment to the Agreement between the Parties and supersedes whatever oral or written understanding they may have had prior to the execution of this Second Amendment. No alteration to the terms of this Second Amendment shall be valid unless approved in writing by Attorney and by City, in accordance with applicable provision of the Modesto City Code.
3. **Authority.** The person signing this Second Amendment for Attorney hereby represents and warrants that he/she is fully authorized to sign this Second Amendment on behalf of Attorney and to bind Attorney to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the Parties have executed this Second Amendment as of the dates stated below.

CITY OF MODESTO,
A Municipal Corporation

By: __________________________

Print name: Joseph P. Lopez

Title: Interim City Manager

APPROVED TO AS FORM:

______________________________
Adam U. Lindgren, City Attorney

ATTEST:

______________________________
Stephanie Lopez, City Clerk

[Signatures Continued on Next Page.]
Federal I.D. No.

State I.D. No.


TYPE OF BUSINESS ENTITY (check one):

_____ Individual/Sole Proprietor

_____ Partnership

_____ Corporation

_____ Limited Liability Company

_____ Other (please specify: __________________)

Signature of Authorized Person

Title

Additional Signature (if required)

Title
MODESTO CITY COUNCIL
RESOLUTION NO. 2017-274

RESOLUTION ADOPTING THE STANCOG STATE ROUTE 99 CORRIDOR ENHANCEMENT PLAN AS THE OFFICIAL LANDSCAPE AND ARCHITECTURE GUIDANCE DOCUMENT FOR FUTURE PROJECTS IMPLEMENTED ON STATE ROUTE 99

WHEREAS, the State Route 99 Corridor Enhancement Plan (Plan), attached hereto as “Exhibit A,” is the culmination of a year-long coordination effort between representatives of the cities of Ceres, Modesto, and Turlock, Stanislaus County, the California Department of Transportation (Caltrans), StanCOG, and others, and

WHEREAS, the objective of the Plan is the development of an aesthetic and practical strategy for the enhancement and beautification of the approximately 25-mile segment of the State Route 99 Corridor that traverses Stanislaus County, and

WHEREAS, the Plan provides design concepts, guidance documents, and resources for planning highway structures and landscapes, controlling soil erosion, improving water quality, and providing resources for transportation project funding, and

WHEREAS, the Plan developed multiple landscape and structural aesthetic design concepts showcasing the scenic and unique ecological characteristics found in Stanislaus County, and

WHEREAS, the Plan offers a menu of designs that includes urban, light industrial-commercial, agricultural, and riparian themes, and

WHEREAS, the StanCOG Policy Board approved the plan via Resolution 16-27 at its regularly scheduled meeting of March 15, 2017.
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto 
adopts the State Route 99 Corridor Enhancement Plan as the official landscape and 
architecture guidance document for future projects.

The foregoing resolution was introduced at a regular meeting of the Council of 
the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who 
moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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: 

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
EXHIBIT A

(State Route 99 Final Corridor Enhancement Plan)
1. Introduction

1.1 Purpose of the Study

"Beautify State Route 99 in Stanislaus County to Promote Economic Vitality and Improve Overall Livability and Quality of Life in the Region."

The mission statement above, envisioned by the Stanislaus Council of Governments (StanCOG) and the Beautify 99 Campaign Steering Committee, is the source and inspiration for the development of this State Route 99 Corridor Enhancement Plan. The document provides design concepts, guidance documents and resources for planning highway structures and landscapes, controlling soil erosion, improving water quality and providing resources for transportation project funding. It is not the intention of this document to provide design documentation for specific locations within the corridor, but rather to provide a design approach for the entire corridor.

StanCOG serves the communities and governments of Stanislaus County as a Metropolitan Planning Organization and a Regional Transportation Planning Agency. It was established in 1971 by a Joint Powers Agreement to address regional issues. One such issue is the unsightly appearance of the twenty-five mile segment of SR99 within Stanislaus County. The State Route 99 Corridor Enhancement Plan actively responds to this issue by providing the guidance needed to transform the corridor into a welcoming and attractive corridor and trade route to stimulate sustainable economic development, tourism and livable communities.

Also known as the Golden State Highway and the Main Street of the Central Valley, the entire length of State Route 99 extends from east of Red Bluff where SR99 intersects SR39 to south of the town of Mettol where SR99 merges with I-5, a total length of 416 miles. Other corridor enhancement plans that have been prepared include the "SR 99 Corridor Enhancement Master Plan" (Dec. 2004), prepared by the California Department of Transportation for the 274 mile long segment between Kern and Sacramento counties and the "Highway 99 Beautification Masterplan" (July 2000) prepared by the Fresno Council of Governments for the 31.59 mile long segment of SR99 in Fresno County.

This publication represents the culmination of a year-long planning effort on the part of representatives of the Stanislaus Council of Governments (StanCOG), cities of Modesto, Ceres and Turlock, Beautify 99 Campaign Steering Committee, California Department of Transportation-District 10 and the design-engineering team of Haygood & Associates Landscape Architects of Albany, CA; Rajappan & Meyer Consulting Engineers, Inc. of San Jose, CA and WRECQ Consulting Engineers of Walnut Creek, CA. See Section 1.4 for a complete list of the organizations and their members.

1.2 Assessment of Existing Environment

State Route 99 serves as a regional north-south highway within Stanislaus County and connector to the county's nine incorporated cities and thirty-six unincorporated communities.

Between the north and south county lines, extending from the Stanislaus River to south of Turlock, the 24.74 mile long segment of highway is located within flat terrain bordered on the east and west by the Sierra Nevada and Diablo Ranges respectively. The urban centers of the cities of Modesto, Ceres and Turlock are clustered along the highway. Beyond these nodes of urbanization, vast stretches of land are in agricultural production extending to the foothills of the adjacent mountain ranges. Orchards are next to the highway, limiting long range vistas. Cultivated fields are farther to the east and west and it is from these vantage points that long range views are afforded across open land where one can appreciate the vastness of the Central Valley and a connection with the natural environment. Rivers are important natural features in the landscape. The Stanislaus and Tuolumne rivers meander through the valley floor carrying water from Sierra Nevada Range. From a distance, the course of the rivers can be traced across the land by virtue of the tall trees and shrubs that grow long their banks. The water and vegetation provide rich environments for wildlife.

Stanislaus County lies in the fertile Central Valley of California. The warm climate, rich alluvial soils and natural water-ways attracted farmers to the region in the early 1800's. Today it is the single most productive agricultural region in the world, generating annual revenues in excess of $4.4 billion from its top ten commodities alone including almonds, milk, cattle, walnuts, chickens, silage, turkeys, fruit and nut nursery and almond pollination. As agriculture grew, so did the need for housing, services and industry. Today's population exceeds half a million inhabitants. Today that diversity is visible from State Route 99.

1.3 Design Concept for Overall Corridor

The Route 99 Corridor Enhancement Plan showcases the scenic and unique ecological characteristics found in Stanislaus County through the landscape and structural aesthetics design concepts that are presented in this document. Beauty, pride, agriculture, industry and community have long been experiences vital to Stanislaus County. State Route 99 provides the setting and opportunity to express these experiences that make the County a special place to live, to cultivate and care for the land, to be industrious and participate in maximizing the quality of life of its citizens. The designs reflect a strength of character and offer of welcome as each interchange serves as a gateway to urban, industrial/commercial, agricultural and riparian communities and environments. Each of the design themes in this document highlights unique characteristics of the land uses along the corridor and together they provide a unified and attractive corridor representative of the high quality of life within Stanislaus County.
1.4 Acknowledgements

StanCOG wishes to thank the tireless efforts of its staff, the members of the 99 Beautification Steering Committee, the Project Development Team and the Design Team without whom the State Route 99 Corridor Enhancement Plan would not have come to fruition. They are:

**StanCOG Staff:**

<table>
<thead>
<tr>
<th>Member Name</th>
<th>Organizational Affiliation</th>
<th>Title at Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rosa De León Park</td>
<td>StanCOG</td>
<td>Executive Director</td>
</tr>
<tr>
<td>Elisabeth Hahn</td>
<td>StanCOG</td>
<td>Senior Planner</td>
</tr>
<tr>
<td>Israel Ojeda</td>
<td>StanCOG</td>
<td>Assistant Planner</td>
</tr>
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</table>

**99 Beautification Committee**

<table>
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<tr>
<th>Member Name</th>
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<tr>
<td>Dave White</td>
<td>Stanislaus Business Alliance</td>
<td>CEO</td>
</tr>
<tr>
<td>Heather Harris</td>
<td>Stanislaus Business Alliance</td>
<td>Assistant to the CEO</td>
</tr>
<tr>
<td>Toby Wells</td>
<td>City of Ceres</td>
<td>City Manager</td>
</tr>
<tr>
<td>Bill Sandhu</td>
<td>City of Modesto</td>
<td>Director of Public Works</td>
</tr>
<tr>
<td>Brent Sinclair</td>
<td>City of Modesto</td>
<td>Interim Deputy City Manager, Operations</td>
</tr>
<tr>
<td>Melinda Evans-Perez</td>
<td>City of Modesto</td>
<td>City Manager</td>
</tr>
<tr>
<td>Michelle Thomson</td>
<td>City of Modesto</td>
<td>Executive Assistant, Redevelopment</td>
</tr>
<tr>
<td>Dennis Agar</td>
<td>Caltrans</td>
<td>Executive Assistant to the City Manager</td>
</tr>
<tr>
<td>Kenneth Baxter</td>
<td>Caltrans</td>
<td>Director, District 10</td>
</tr>
<tr>
<td>Sam Haack</td>
<td>Caltrans</td>
<td>Deputy Dist. Dir.; Planning, Local Assistance and Environmental Operations</td>
</tr>
<tr>
<td>Lynn Dickerson</td>
<td>Gallo Center for the Arts</td>
<td>CEO</td>
</tr>
<tr>
<td>Cecil Russell</td>
<td>Modesto Chamber of Commerce</td>
<td>CFO</td>
</tr>
<tr>
<td>Mike Zagaris</td>
<td>PMZ</td>
<td>Assistant Executive Officer</td>
</tr>
<tr>
<td>Keith Boggs</td>
<td>County of Stanislaus</td>
<td>Executive Assistant, CEO Office</td>
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<td>Linda Chambers</td>
<td>County of Stanislaus</td>
<td>Executive Director</td>
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<tr>
<td>Rosa De León Park</td>
<td>StanCOG</td>
<td>Confidential Assistant</td>
</tr>
<tr>
<td>Sheryl Swartz</td>
<td>County of Stanislaus</td>
<td>CEO</td>
</tr>
<tr>
<td>Stan Risen</td>
<td>County of Stanislaus</td>
<td>Confidential Assistant, Public Works</td>
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<tr>
<td>Keimi Espinoza</td>
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<td>Sheryl Swartz</td>
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<td>Michella Thomson</td>
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<td>Sam Haack</td>
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<tr>
<td>Kellie Weaver</td>
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<tr>
<td>Matt Machado</td>
<td>City of Turlock</td>
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**Project Development Team**

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<tr>
<td>Stan Risen</td>
<td>City of Modesto</td>
<td>CEO</td>
</tr>
<tr>
<td>Jim Holgersson</td>
<td>StanCOG</td>
<td>CEO</td>
</tr>
<tr>
<td>Elisabeth Hahn</td>
<td>City of Ceres</td>
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<td>Interim Deputy City Manager, Operations</td>
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<td>Matt Machado</td>
<td>City of Turlock</td>
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<tr>
<td>Mike Pitcock</td>
<td>City of Turlock</td>
<td>Executive Assistant to the City Manager</td>
</tr>
<tr>
<td>Kellie Weaver</td>
<td>City of Turlock</td>
<td>Director, District 10</td>
</tr>
<tr>
<td>Brad Cole</td>
<td>Caltrans</td>
<td>Deputy Dist. Dir.; Planning, Local Assistance and Environmental Operations</td>
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**Design Team**

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<th>Member Name</th>
<th>Organizational Affiliation</th>
<th>Title at Organization</th>
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<tr>
<td>Leah Haygood, PhD</td>
<td>Haygood &amp; Associates</td>
<td>CEO</td>
</tr>
<tr>
<td>Simon Kenney</td>
<td>Haygood &amp; Associates</td>
<td>CFO</td>
</tr>
<tr>
<td>Charielene Sallo</td>
<td>Haygood &amp; Associates</td>
<td>Assistant Executive Officer</td>
</tr>
<tr>
<td>Annette Ochoa, PE</td>
<td>WCREO</td>
<td>Executive Assistant, CEO Office</td>
</tr>
<tr>
<td>Lee Taubeneck, PE</td>
<td>Rajappan &amp; Meyer Engineers</td>
<td>Executive Director</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Confidential Assistant</td>
</tr>
</tbody>
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StanCOG | State Route 99 Corridor Enhancement Plan |
2. Identification of Corridor Themes

Land uses that we see from Route 99 are agricultural, light industrial-commercial, riparian and urban. Identified as themes, design concepts for each land use and guidance documents are provided to serve as a basis for development of highway improvement projects on Route 99 in Stanislaus County. The unique characteristics of each land use described below are the sources of inspiration for the landscape, structures and paving concepts.

2.1 Agricultural

Agriculture connects us to a unique form of the natural environment, one that is arranged and organized by human hand and ingenuity. It is something we experience as we drive along a country road passing row upon row of trees and leafy stalks. If we are fortunate to be a passenger, we watch the angles in the spaces between rows change from one direction to another, the soundless rhythm of the cultivated land. Within this green network so firmly rooted to the earth, buds, flowers, fleshy fruits and nuts form, burst and fall in their own time. While most are gathered and taken to market, others are pecked, scooped and carried on the wing. Rows, leaves, angles and fruit are the sources of inspiration for the patterns and motifs used in the aesthetic treatment of the overcrossing, walls and paving for the Agricultural Theme.

2.2 Light Industrial-Commercial

Industry and commerce are important and visible companions to agriculture in Stanislaus County. Industrial structures are practical, emerging from the necessities of function and purpose to protect, contain and transport fragile and perishable goods. Commercial architecture is an outgrowth of the marketplace where the language of form is dynamic, inviting and encouraging people to buy and sell, sit and walk, enter and leave. The Modesto arch welcomes those who arrive and reminds others of home. Storefronts support bright colors, distinctive shapes and strong messages announcing what to buy and how much it will cost. The elements of welcome, commerce, transport and purpose are the sources of inspiration for the columns, arched shapes, horizontal bands and colorful accents used in the landscape and architectural features of the Light Industrial-Commercial Theme.
2.3 Riparian

Riparian is a place where water and land meet, a co-existence of the natural environment and what is engineered by humankind. Abundant trees and grasses thrive along the banks of the Stanislaus and Tuolumne rivers that meander through the valley of Stanislaus County, providing rich habitats for wildlife and sources of recreation and respite for weary workers. Crossing the threshold from land to stream brings us closer to what is simple and peaceful in life. We see the wind blowing grasses and rippling surfaces of water, a flush of birds bursting from trees and reeds, the sky reflected in a quiet pond. Flowing water, grasses and waterfowl are the sources of inspiration for the Riparian Theme.

2.4 Urban

Urban refers to cities and cultures, places where people live and work side by side, interact and cooperate, express creatively and purposefully in densely populated areas. More than in any other land use, it is in the urban environment where individual preferences are expressed in architecture and landscapes. Personal environments are created to reflect perceptions of home and the natural world. People go to town for goods and services, gather at cafes to enjoy the company of others, attend sports and cultural events to be entertained and informed and enjoy the out-of-doors in community parks. City buildings, lighted environments, marquees and tree-shaded parks are among the features that are the sources of inspiration for the Urban Theme.
2.5 Locations of Each Theme Along Route 99 Corridor

Legend

The legend below provides the color-code for each of the four themes whose location and extent along State Route 99 in Stanislaus County is illustrated on the strip maps that follow the legend.

Visual characteristics observed that differ from local land use plans are noted on the strip maps. With each project that emerges, local planning documents will need to be reviewed and a visual inspection conducted of the project area to determine if the existing visual characteristics are still consistent with the design themes presented in this document or whether they have changed over time and are better represented by one of the other design themes provided. The photos below are representative of land use characteristics in each of the design theme areas. See the Section D of the Appendices for additional photos.

Agricultural

Light Industrial Commercial
3. **Landscape and Aesthetic Treatment for Structures, Pavement & Lighting**

The following pages illustrate concept designs for use within each of the four themed areas: Agricultural, Industrial-Commercial, Riparian and Urban. The concepts include landscape and hardscape features within interchanges and the highway corridor. Illustrated are the arrangement and species of plants, groundcover materials, rock gabions, walls and gore paving. Photos of the materials are included. Design concepts for structural features and slope paving are provided in elevation drawings including overcrossings, abutments, slope paving, soundwalls and retaining walls. The lighting for each of the themed areas is provided in Section 3.6. See Section 7 for Recommendations for Implementation. The following sections describe the features in each theme.

### 3.1 Agricultural

The landscape design for the interchange draws upon features that we see within the agricultural areas of Stanislaus County: Rows of trees and shrubs, irrigation canals and almond orchards. Similar to a cultivated field, the landscape concept extends to the limits of the available space, from right-of-way line to edge of highway. See Section 3.9. Within this space, we see representations of field crops and orchard trees arranged row upon row. Oriented on an angle, the rows set up the familiar rhythm that we see when we travel along a country road looking across the land. Also familiar are the necessary features of agriculture such as the irrigation ditch and the access road that strike paths of least resistance through the fields. These features are represented in the landscape concept by highway ramps and a long rectangular shape representing an irrigation canal. Paved with natural cobbles and edged with a 30” wide concrete band, the canal cuts through the center of the design. Plants selected for the concept have growth patterns that are reminiscent of the agricultural environment.

The design patterns and motifs on structures such as walls, abutments, columns, railings and slope paving draw upon the theme of the linear cultivated row. The motif shown on the concrete structures is a leafy branch with clusters of mature almonds. The retaining walls have window panels with almond branches appearing in different positions in each window, simulating the experience of the motorist viewing a landscape while driving.

The railings and lights are finished in the standard Caltrans green, RAL 6005, including all fabricated and standard steel pieces, chain link fabric, light bases, poles and fixtures and all hardware and conduits that are attached, or adjacent to green-finished metal surfaces.

### 3.2 Light Industrial-Commercial

The wheels of industry and commerce are the inspiration for the design of the landscape and structures aesthetics of the Light Industrial-Commercial themed areas. See Section 3.10. The landscape concept includes concentric circular shapes created by plants, rock filled gabions and gravel mulch, reflective of the life, steel and grit that make industry and commerce work with determination and purpose. The natural landscape that surrounds the circles provides a soft backdrop against which the circular focal points are highlighted in the design. Together, there is a harmonious balance between the natural and constructed elements in the environment. The Italian Poplar trees in the design are tall and vertical. Chinese Pistache and Purple Leaf Plum trees are rounded and colorful.

The design elements on the structures for this themed area include linear and rounded shapes. Monumental concrete sentinels stand at the east and west entrances to the overcrossing. Mounted on top of the sentinels are silver colored perforated stainless steel domes that are illuminated from within, emitting pinpoint rays of light during the night. The metalwork is finished in black including posts, rails, hardware, lights and fixtures. The barrier has a smooth horizontal band that is finished with a brick red concrete sacking. The red horizontal stripe is a theme color that is repeated throughout the entire length of Route 99 in California. Rectangular window-like panels on the soundwalls and retaining walls include views of the themes' linear and rounded shapes as if viewing them through a moving vehicle.

### 3.3 Riparian

Flowing lines swirl around the contours of the Riparian themed landscape, simulating the streams and shallow bodies that course through the valley floor of Stanislaus County. Seasonal forces of flowing water push and scour the earth and rock into valleys, leaving ridges and mounds with trees and grasses clinging to their uppermost regions. The Riparian theme landscape reflects these elements in sinuous dry river beds created with gravel and boulders and mounded areas planted with trees, shrubs and groundcover. See Section 3.11. The natural-appearing landscape is created by random and unstructured placement of trees and shrubs. Meadows of poppies blanket the interchange and extend along the highway. A design feature of the Plan is a California poppy-lined Highway, funded and seeded on a yearly basis by members of the community through the Adopt-a-Highway, or similar program.

Images of reeds and waterfowl are highlighted in the structural aesthetics for the bridges, walls and paving. The undulating pattern on the bridge railing, representing flowing water, complements the reeds and waterfowl that are featured on the bridge structures and walls along the highway.

The metal work on the bridge, lights, hardware and conduits attached to them will be finished in the standard Caltrans green color, RAL 6005 (Standard Dark Green).

### 3.4 Urban

“Elegant and sophisticated” appropriately describe the Urban theme design concepts. The landscape for the interchange is tastefully simple, evoking images of a beautiful city park with well-defined paths, bordered by colorful shrubs and shaded by generous canopies of leafy trees. See Section 3.12.

The design elements on the overcrossing reflect images of the center of town with bright lights, decorative railings, stepped building facades and marquees. The metal elements and conduits in contact with metal are finished in black. The horizontal band on the barrier of the overcrossing has a red stripe applied by hand using a brick red concrete sacking over a fractured concrete formliner finish. The rectangular window shapes on the retaining and soundwalls have snaps of cityscapes within them as if viewed from the window of a moving vehicle.

### 3.5 Consistent Design Features Throughout Corridor

Four land use themes are showcased in the document with individual design concepts. Equally important is the appearance of cohesiveness throughout the Route 99 corridor in Stanislaus County, achieved through the use of selected common features. For example, rectangular window patterns appear on the vertical surfaces of soundwalls and retaining walls throughout the corridor. Frames and motifs are created with custom formliners. The motifs in each window change in succession as if viewing the landscape through the window of a moving vehicle. The soundwalls and retaining walls have the same color, block design and basic configuration.

Soundwalls are constructed of 8"x8"x16" concrete masonry units in a stack-bond pattern. The caps are 16" long concrete masonry units. The field color and caps are light tan, ground face blocks with specs of black-colored aggregate. Below the cap is a 16" high light grey horizontal stripe, from 8"x8"x16" precision surface blocks with specs of black-colored aggregate. The patterns on the soundwalls are created with...
split face blocks of the same light tan block color used for the field.

Retaining walls match the light tan color of the soundwalls, achieved by mixing pigment into the concrete. The surfaces of the walls are sacked completely and evenly using matching light tan sacking concrete. No mica is added to the surface. Color-sanding concrete is avoided due to uneven results. No sandblasting is to be used to texture or clean wall surfaces. Light-textured grit is added to the sacking mix to mimic a light sandblast finish. Where retaining walls abut overcrossing wing walls and abutments, retaining walls are the same light tan color described in this paragraph. Abutments and wing walls are plain gray concrete.

Slope paving field resembles the soundwall field color and texture. To mimic the dark speckled surface of the concrete block, the surface is seeded with black mica in an even distribution so that the light tan concrete is dominant and the black mica serves as the accent color. The concrete surface on the slope paving is scored in an 8”x16” stack-bond pattern to match the soundwall block design.

Decorative formliner panels for soundwalls, retaining walls and slope paving are created from custom formliners with the designated patterns. The integral concrete color matches the field color in the retaining walls. No mica is added to the surface. Finishes are smooth.

Control joints are designed to work with the graphic elements of the design. At retaining walls, control joints are centered vertically, outside of and between concrete window panels. No control joints are to be included within the decorative panels due to their length. For the Agricultural theme, align the joints with the two valley “V” hinge points in the angular pattern; avoid the almond cluster. On the Industrial-Commercial theme avoid the round shape. Avoid scoring through the birds on the Riparian theme and for the Urban theme, score only along exterior frames and in 8”x16” score joint pattern.

Gore paving will be integral-colored concrete matching the light tan color of the retaining walls. The score joint pattern is shown on the design concept in the following pages. The surface texture will be a medium broom finish drawn ninety-degrees to direction of travel.

Bridges, barriers, abutments and wing walls are plain gray concrete. Mix formula is to be identical for all gray concrete produced for individual projects and throughout corridor to make sure all gray color is the same. Custom formliners are used to create architectural features. All concrete structures at and above overcrossing road will be sacked with gray concrete sacking to match formula used for cast in place concrete features. Sacking will produce an even and consistent texture similar to a very light sandblast finish.

Pedestrian sidewalks are plain gray concrete. The field is finished with a medium broom finish drawn at a ninety-degree angle to the direction of traffic. Edges are tooled and defined by walls, curbs and control joints. The full length of the corridor, organized with landscape designs and similar treatments of walls and paving, will appear cohesive and attractive.

Metal Birds are stainless steel, 24 gauge, powdered-coated with matte finish Brick Red #303028 by Tiger Dyano, or equal. Mounting height is six feet clear of pavement and no more than 1” protuberance from surface of wall. Such specifications are based on Caltrans standards and must be verified with their current regulations.

Green Finish on Metals where specified is RAL 6005 (Standard Dark Green).
Black Finish on Metals where specified is RAL 9005 (Black Satin Finish).
Plant Materials: See Section 4 for Plant Selections and Resource List for Nurseries and Materials.
3.6 Lighting

Lighting for the highway and overcrossings will be consistent throughout the corridor. The lights are RoadStar Series by Phillips Lumelec or equal providing LED illumination. The poles are round with an arched mast-arm.

Highway mainline fixtures and poles will be standard Caltrans gray and maintained by Caltrans.

At overcrossings, on- and off-ramps and transition zones between overcrossings and local streets, lights will be finished in standard Caltrans semi-gloss dark green at the Agricultural and Riparian themed areas, and in semi-gloss black at the Industrial-Commercial and Urban themed areas. RAL number for green is 6005 (Standard Dark Green), RAL number for black is 9005 (Black Satin Finish).

The lights on overcrossings are positioned directly across the travel way from one another and not in a staggered formation. Lights at on- and off-ramps are in a staggered formation.

Corbel lights within the perforated stainless steel domes at the Light Industrial-Commercial themed concept are high-intensity LED lights, designed to cast rays of light through the perforations.

3.7 Areas Requiring Specialized Treatment

It is the goal of this plan to provide views from SR99 that are attractive, neat, clean and well-organized.

Landscape Freeway Status and Outdoor Advertising:

Enhancement and preservation of the beauty of a transportation corridor over the long term is integrally tied to the prevention of billboards and sign pylons from being erected and removal of those that are existing. Outdoor advertising is regulated by the State of California and its presence limits the ability to plant trees and tall shrubs within the corridor, therefore diminishing the visual quality and appearance of a highway substantially. Refer to California Code of Regulations, Division 6, Chapter 1, Outdoor Advertising-General.

The State will not issue a permit for erection of a billboard if it is adjacent to a section of Landscape Freeway. Refer to http://www.dot.ca.gov/hq/LandArch, Landscaped Freeway for the criteria for classification as a Landscaped Freeway. In brief, a Landscaped Freeway is classified by the State of California. The landscaping is continuous for 1,000 feet in length on one side of the freeway or 1,000 feet combined length on both sides of the freeway. If there is a gap of 200 feet or less in the landscaping and the gap adjoins a landscaped segment of freeway, then the adjoining landscaped segment must be at least 500 feet in length.

Undergrounding Utilities:

Similar to billboards, underground utilities diminish the quality of the appearance of the highway and adversely impact views extending beyond the corridor to adjacent hills, mountains and the horizon. Prohibiting underground utilities from being installed, and offering incentives for them to be undergrounded, through local and regional zoning and code regulations are positive contributions by public agencies within Stanislaus County toward improving the appearance of both the highway and region at large.

Homeless Encampments: Local and State authorities are encouraged to be active in preventing the use of Caltrans right-of-way for sleeping, gathering and shelter at all times. Local and County community services agencies are encouraged to work with law enforcement to find shelter and food for those who make use of highway right-of-way lands for personal needs.

Debris Pick-up Within Highway: Debris pickup is one of the contributions that can be made by local organizations and businesses with acknowledgment provided by the California Department of Transportation Adopt-a-Highway signage program.

Landscaped Buffers: City Planners and County Agencies are encouraged to require with commercial, industrial and research and development building permits, a 40-foot landscaped buffer along the full length of their property measured 90 degrees from the Caltrans right-of-way line. The landscaped buffer would serve a two-fold purpose. First, it would provide a beautiful community tree-lined highway for the future as the highway is widened toward the right-of-way line over time. Secondly, it would ensure that private land uses are screened from view of the highway. Landscape shrubs planted within the buffer should be selected from the master plant list in this plan. Trees should match the theme tree selection designated for the highway adjacent to individual properties and be spaced between 20 to 40 feet on center.

Screening Unlikely Views: To beautify the corridor immediately, City and County Planners are encouraged to work with individual land owners who have debris, debris bins, demolished automobiles, stockpiled materials, unkempt buildings and materials and graffiti-painted surfaces that are visible from the highway, to install 8 foot tall chain link fencing on their property lines facing the highway, using fuse-bonded PVC finished chain link fabric, black in color, with steel posts and top rail to match black color, and to plant vines at a minimum of 6 feet on center on the private property side of the fence, irrigated with an automatically controlled irrigation system. In addition, local agencies are encouraged to require landowners to plant, in a single row of tall screening shrubs 12 feet in front of the fence on their property at a spacing not greater than 6 feet on center, also irrigated by an automatically controlled irrigation system. The plant materials should be selected from the master plant list in this plan to maintain design consistency throughout the corridor.

3.8 Railroads

UPRR and Amtrak have rail lines in a north-south corridor that are adjacent to State Route 99 in Keyes, Ceres and northern parts of Modesto. Railroad companies have specific requirements concerning landscape planting adjacent to their property. In addition, any encroachment in or over railroad rights-of-way, will require written agreement with the individual railroad company. Refer to Title 23, Code of Federal Regulations, Chapter 1, Subchapter G, Part 946, Subpart B [23 CFR 946(b)], and Part 625, Paragraph (b) [23 CFR 625.4(b)] for information on design and horizontal and vertical clearances from railroad facilities. Also, see U.S. Department of Transportation, Federal Highway Administration website. http://www.fhwa.dot.gov/bridge/130416.cfm.
Legend

- Accent Planting 2'-4' Tall
- Wildflower Hydroseed
- Grass Hydroseed & Groundcover
- Gravel Mulch
- Cobblestones

Gore Paving

- 15 gal Trees 25'-50' Mature Height
- Grass Hydroseed & Groundcover
- Accent Planting 2'-4' Tall
- Wildflower Hydroseed
- Grass Hydroseed & Groundcover

Agricultural

StanCOG | State Route 99 Corridor Enhancement Plan
Legend

Wildflower Hydroseed

Grass Hydroseed & Groundcover

Cotoneaster 'Lowfast'
Bearberry

Juniperus chinensis 'Gold Coast'

15 gal Trees 25'-50' Mature Height

Nyssa sylvatica
Tupelo

Olea europaea
Swan Hill Olive

Shrubs 2'-6' tall

Heteromeles arbutifolia Toyon

Rhamnus californica 'Leatherleaf'
Leatherleaf Coffee Berry

3.9 AGRICULTURAL
Legend

Shrubs 2'-6' Tall
- Rhaphiolepis 'Ciera' Indian Hawthorn
- Rhus ovale Sugar Bush
- Rhus typhina 'Compade' Compact Red Robin

Grass Hydroweed & Groundcover
- Cotoneaster dammeri 'Royal Beauty' Bearberry Cotoneaster
- Acazia reddolent 'Low Boy'

15 gal Trees 30'-100' Mature Height
- Populus Nigra 'Italica' Lombardy Poplar
- Prunus ser. 'Krauter-Vasculare' Krauter Purple Leaf Plum
- Ptelea chinensis 'Keith Devay' Keith Devay Chinese Batsir

3.10 LIGHT INDUSTRIAL COMMERCIAL
StanCOG | State Route 99 Corridor Enhancement Plan
Overcrossing

Retaining Wall

Sound Wall

Slope Paving

3.10 LIGHT INDUSTRIAL COMMERCIAL

StanCOG | State Route 99 Corridor Enhancement Plan
Shrubs 2'-6' Tall

15 gal Trees 10'-100' Mature Height

Grading 1' Contours

Wildflower Hydroseed

Grass Hydroseed & Groundcover

3.11 RIPARIAN
Overcrossing

Retaining Wall

Sound Wall

Slope Paving

Sound wall along State Route 51 in Sacramento ( mile 8.0 +200') under a maintenance agreement with City of Sacramento. Constructed 2018.

Cast In Place Concrete Wall Matt

Concrete Masonry Unit Sound Wall

3.11 RIPARIAN
Legend

- Gravels & Stones
- Stone Paving
- Gravel Paving
- Grass Hydroseed & Groundcover
- Wildflower Hydroseed
- Shrubs 2'-6' Tall
- Accent Planting 2'-5' Tall
- 15 gal Trees 25'-80' Mature Height
- Natives Paving
- Non-Natives Paving
- Cobbles
- Gravel Mulch

StanCOG | State Route 99 Corridor Enhancement Plan
4. Plants

4.1. Introduction

The following pages provide lists and photos of plants that are suitable for use in highway environments and the local climate around State Route 99 within Stanislaus County. They have been reviewed and approved by the Landscape Architecture Department of the California Department of Transportation, District 10 (Caltrans).

Locations for trees, shrubs and groundcover must conform to Caltrans standards. Refer to current document of, "Landscape Architecture PS&E Guide, Section 4, Highway Planting Design, Plans, Plant List and Specifications Sheet," which is available for viewing on-line at the following website address:

www.dot.ca.gov/hq/LandArch/16_la_design/guidance/ps&e_guide/Sec4.pdf

Also refer to the following Caltrans websites to find current documents and standards:

http://www.dot.ca.gov/hq/LandArch/indexIntro_la.htm
http://www.dot.ca.gov/hq/LandArch/16_la_design/guidance/index.htm

Construction documents developed for projects within Caltrans right-of-way must not deviate from current Caltrans standards. Since the standards apply to all levels of the work from design features to CAD line weights and layers as well as specifications, the designer is encouraged to become thoroughly familiar with the standards prior to beginning work.

The plants listed below are drought tolerant, requiring moderate to very low amounts of potable-quality irrigation water. Next to the plant name on the lists is a letter corresponding to water use requirement. The letters are M=Moderate, L=Low, VL=Very Low. The source for determining the amount of water use a plant requires is the University of California Extension's document, "Water Use Classification of Landscape Species", otherwise known as WUCOLS, available at,


If non-potable water is the water source for irrigation, existing landscapes must continue to be irrigated with potable water to protect their health. If new landscapes are to be irrigated with non-potable water, a chemical analysis from the purveyor and the following plant lists must be submitted to a soil and plant laboratory for assessment and preparation of a report identifying which of the plants in the list would survive using the proposed non-potable water source. The soil laboratory should also provide recommendations for the type of soil to use with the water chemistry to prevent damage to the soil structure from salts.

Due to the large number of trees and shrubs used in the highway landscape, it is recommended that the plants be contract-grown in order to insure that all of the plants, correct species and cultivars are available on schedule. Wholesale nurseries are best suited to manage and care for the thousands of plants required for the highway landscape project. It is recommended that the designer include a registered certified and consulting arborist on the design team to visit the growing grounds after a contract grow agreement is in place to inspect and tag trees to be included in the contract grow contract. A follow-up inspection is made one month before delivery to make sure that the tagged trees are in optimum condition and if they are not, to select replacement trees. See Section 4.4, Resource List for Nurseries and Materials.
4.3 Median Planting

The following information is provided to assist the designer with assessing and implementing median planting.

<table>
<thead>
<tr>
<th>Median Width</th>
<th>Landscape Treatment</th>
<th>Guardrail Around Landscape Area</th>
<th>Aesthetic Treatment Above Concrete Barrier</th>
<th>Aesthetic Treatment on Concrete Barrier</th>
</tr>
</thead>
<tbody>
<tr>
<td>0'-12'</td>
<td>Asphalt/Concrete/</td>
<td>No</td>
<td>Yes</td>
<td>Yes/Yes/No</td>
</tr>
<tr>
<td></td>
<td>Stamped Concrete/</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Color</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12'-30'</td>
<td>Hydroseed</td>
<td>No</td>
<td>Yes/No</td>
<td>Yes/No/No</td>
</tr>
<tr>
<td>30'-60'</td>
<td>Shrubs</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>60'-90'</td>
<td>Trees and Shrubs</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

The median widths indicated in the table above are found in the existing highway conditions within SR99. Individual project median designs are subject to Caltrans District 10 approval.

The designer is to use plants selected from the SR99 Corridor Enhancement Plan, plant list. Final plant selection is subject to Caltrans District 10 approval.

Landscape planting is subject to Caltrans design standards including:

- Plant setback and spacing guide:
  - Highway Design Manual (Particularly Chpt 9):

Plants (from plant list) suitable for use in medians:

**Shrubs**
- Arctostaphylos ouitzvars, Manzanita Cultivars
- Callis occidentalis, Common Hackberry
- Heteromeles arbutifolia, Toyon
- Laurus 'Saratoga', Saratoga Bay Laurel
- Nerium oleander 'Mrs Roeding', Mrs. Roeding Oleander
- Nerium oleander 'Sister Agnes', Sister Agnes Oleander
- Photinia x fraseri, Red Robin
- Rhamnus alaternus 'John Edwards', John Edwards Coffeeberry
- Rhamnus californica, 'Leatherleaf', Leatherleaf Coffee Berry
- Rhaphiolepis indica 'Jack Evans', Jack Evans India Hawthorn
- Rhaphiolepis 'Majestic Beauty', Majestic Beauty India Hawthorn
- Rhaphiolepis 'Clara', Clara India Hawthorn
- Rhus ovala, Sugar Bush
- Xylosma congestum, Xylosma

**Trees**
- Calocedrus decurrens, Incense Cedar
- Cedrus deodara, Deodar Cedar
- Ceratonia silikia, Carob
- Cupressus arizonic 'Glabra', Smooth Arizona Cypress
- Eucalyptus microtheca, Coolibah
- Liquidambar sylvaticum, Sweetgum
- Nyssa sylvatica, Tupelo
- Olea europaea, Olive
- Pinus canariensis, Canary Island Pine
- Pistacia chinensis 'Keith Davey', Keith Davey Chinese Pistache
- Platanus x acerifolia 'Columbia', Columbia London Plane
- Platanus racemosa, California Sycamore
- Populus nigra 'Italica', Lombardy Poplar
- Prunus cerasifera 'Krauter Vesuvius', Krauter Purple Leaf Plum
- Quercus agrifolia, Coast Live Oak
- Quercus ilex, Holly Oak
- Quercus lobata, Valley Oak
- Quercus suber, Cork Oak
- Quercus wislizenii, Live Oak
- Schinus molle, California Pepper Tree
- Ulmus parvifolia, Chinese Elm
4.4 Resource List for Nurseries and Materials

The following website lists over a hundred wholesale growers complete with contact information.

http://www.plantsearchonline.com/CA.htm

The nurseries below are among several that supply materials for highway projects.

- **Boething Treeland Lodi, Lodi, CA.** (209) 727-9700
- **Corrflower Farms, Elk Grove, CA.** (916) 689-1015
- **Monrovia Azusa, Azusa, CA.** (626) 334-9321
- **Native Sons, Arroyo Grande, CA.** (805) 481-5996
- **Norman's Nursery, San Gabriel, CA.** (626) 285-9795
- **San Marcos Growers, Santa Barbara, CA.** (805) 983-1661
- **Suncrest Nurseries, Watsonville, CA.** (831) 728-2595
- **Valley Crest Tree, North, Sunol, CA.** (925) 862-2485
- **Village Nurseries Wholesale Plant & Tree Grower, Orange CA.** (800) 542-6209, (800) 875-1972

Materials provided for highway projects are specified in the construction documents, supplied by the general and subcontractors and are not purchased directly by a public agency administering a highway project. The materials are specified in the construction drawings and in the specifications for highway projects. The contractor is required to submit shop drawings, brochures, cut sheets, laboratory analyses, reports and samples for review by the design team and Caltrans. If the reviewers find the submittal acceptable, the contractor is authorized to order the material. If the submittal is not in conformance with the contract documents, it is rejected and re-submittals are required until an acceptable submittal is approved. The following are manufacturers and materials numbers for the items included in this planning document.

**Concrete Masonry Units for Sound Walls**
- Basaltile, Dixon, CA. (707) 678-1001 - Color 389 and 428
- Casitile, Tracy, CA. (209) 633-7366 - Color S304 and S134LC

**Concrete Color Admixtures**
- LM Scofield Company, Los Angeles, CA. (213) 723-5285 - Color C-12 Mesa Beige
- Solomon Colors Inc, Rialto, CA. (865) 747-2666 - Color Tyme 238

**Metal Color Finishes**
- Tiger Drylac, Ontario, CA. (800) 243-8148 - Color RAL 6005 (Green) and RAL 9005 (Black) and 38/300228 (Brick Red)

**Gravel Mulch**
- West Coast Sand and Gravel, Northern and Central California, CA. (800) 724-3053
- George Reed Inc., 140 Empire Ave., Modesto, CA. (209) 823-2305 - Size 3/4" - 1 1/2" washed crushed rock. Color Tan
- Geotect (Corporate Office), 3560 American River Drive, Sacramento, CA. (916) 484-3011

**Cobbles and Boulders**
- **Cobbles**
  - West Coast Sand and Gravel, Northern and Central California, CA. (800) 724-3053
  - Size 4" - 8"., Color Tan (Yosemite Cobble or similar approved).
  - George Reed Inc., 140 Empire Ave., Modesto, CA. (209) 823-2305 - Size 5" - 8"., Color Tan (Lodi Cobble or similar approved).

- **Boulders**
  - West Coast Sand and Gravel, Northern and Central California, CA. (800) 724-3053
  - Size: 3" - 5" x 36" min. depth, Color Tan (Yosemite Boulder or similar approved).
  - George Reed Inc., 140 Empire Ave., Modesto, CA. (209) 823-2305 - Size: 3" - 5" x 36" min. depth. Color Tan.

**Gabiion Rock**
- **West Coast Sand and Gravel, Northern and Central California, CA.** (800) 724-3053
- **Size 8" - 12," Color Tan (Upland Mission or similar approved)***
- **George Reed, Inc., 140 Empire Ave., Modesto, CA.** (800) 724-3053 - Size 8" - 12". Color Tan.
- **California Materials Inc. (CMAT) 3736 S. Hwy. 99, Stockton, CA. Agents for Trucking and Materials.** (209) 471-6891

**Gabiion Wire Cages**
- Gabion Supply (866) 391-6295
- Reed and Graham Geosynthetics, Sacramento, CA. (888) 381-0600
- Maccaferti Inc. Sacramento, CA. (916) 371-0605

All cobbles, boulders and gelbian rock must be full and intact rocks and not broken pieces. Cobbles are to be smooth and oval-shaped.

5. Sustainable Practices

Sustainability is the "...endurance of systems and processes." (Wikipedia, 2016).

Determined application of sustainable practices and processes with the intention of living in environments that are in balance, healthy and productive across connections and systems ranging from the natural to social, is a goal and frame of reference for planners of projects within the State Route 99 corridor.

Among the many features available to us that provide opportunities to contribute toward endurance of a healthy ecosystem include water, air, soil and plants.

Water availability and conservation are topics of perennial concern in the State of California. Methods to conserve and minimize water consumption used in landscapes within the corridor include selection of drought tolerant plants, use of "Smart" irrigation controllers that are linked to internet weather stations, use of flow sensors that automatically shut off an irrigation system if there is a leak or breakage, use of bubblers or drip irrigation systems to place water only where needed at each plant and operation of irrigation systems at night to minimize evaporation. Water quality and soil erosion are discussed in the Appendices under "Slope..."
Agronomy and Best Management Practices*

Use of non-potable water: Most often non-potable water has salt levels that are detrimental to plants and particularly to soil structure. To rid soil of salt build-up with use of non-potable water, more water has to be applied to the soil in order to leach out the salts. Leaching does not rid the soil of salts. It simply takes the salts to a deeper level of the soil causing damage to lower soil horizons. Only when the non-potable water has a chemistry that is similar to potable water, yet is not drinkable, is the use of non-potable water considered sustainable. Also refer to Section 4, Plants, 4.1 Introduction.

Caltrans links to information on water conservation
http://www.dot.ca.gov/hq/LandArch/16_la_designwater_conservindex.htm
and http://www.dot.ca.gov/water.htm

Air quality in California is the subject of state and local planning and management. Although it is not within the scope of this document to address the issue at large, there are sustainable practices that can be implemented when planning transportation construction projects within State Route 99 to minimize airborne particulates. Soil erosion exposes raw earth to heat, thus producing dry particles that can become airborne by the strong winds in the Central Valley. See the Section B on Soil Stabilization and Best Management Practices in the Appendices for methods to reduce and prevent soil erosion. In addition, maintaining dust control by watering during construction is required for projects within the corridor. In the landscape, open soil areas are mulched with gravel, stones, boulders and arbor mulch to keep soil in place, to prevent evaporation of soil moisture and to keep down weeds. Areas planted with shrubs and ground covers will also reduce soil exposure to wind. Finishes on metals are applied in large plants each time they are cut in the landscape and during the construction of highway features is yet another way to minimize air pollution.

Finally, including in the construction and maintenance of new roads, landscape designs that use native species to reduce herbicides and pesticides that can get into the landscape and during the construction of highway features is yet another way to minimize air pollution. Selection of non-native plants should only be used to introduce non-natives that are not invasive and are compatible with the local environment. Also select plants that are drought tolerant to reduce the amount of water required for the landscape.

6. Landscape Maintenance

Detailed description and guidance on landscape maintenance procedures and methods within the Caltrans right-of-way are found in the Caltrans Maintenance Manual Volume 1 Chapter E:

Caltrans' budgets for landscape maintenance are limited. In most the landscape maintenance costs exceed the amount available to Caltrans, a Caltrans Freeway Maintenance Agreement and Landscape Maintenance Agreement should be entered into that enables part of the maintenance to be undertaken by non-Caltrans staff. A sample agreement can be found in Section E of the Appendices to this document, and is available from Caltrans HQ in Sacramento. Non-Caltrans staff for landscape maintenance must adhere to the requirements of Caltrans for roadway safety.

7. Recommendations for Implementation

The State of California Department of Transportation has published a State Route 99 Corridor Enhancement Master Plan, http://www.dot.ca.gov/djat6/99masterplan. Refer to Chapter 5, "Implementing the Plan". This document is described as a guide for public and private sector decisions in the development of the Route 99 Corridor by setting specific improvement approaches and themes.
Options for implementing the StanCOG Route 99 Corridor Enhancement Plan could be accomplished through cooperative agreements between Caltrans and single to multiple public agencies such as the County and local municipalities; or the plan could be implemented through individual Caltrans highway contracts as they emerge. Physical, budgetary and legislative constraints would play a large part in how projects are packaged. The StanCOG State Route 99 Corridor Enhancement Plan applies to all new projects within the corridor. The projects may range from new and reconfigured interchanges and mainline to smaller landscape replacement or soundwall projects. See Section C in the Appendices for Funding Opportunities.

The concepts shown in this document are intended to be used as the model for implementing the design of structures and landscaping into existing and proposed road configurations. Realizing that individual site configurations vary, the designer is encouraged to consider the following:

- What are the principal elements within the concept for each theme?
- How will I include the principal elements in the project, maintaining the overall theme and design intent?

For example, the agricultural theme design includes parallel lines of planting to represent rows of trees in an almond orchard and a linear cobbled swale cutting across the design representing an irrigation canal. By changing the orientation and location of these linear elements, the designer is able to fit the design within existing site constraints.

All options for implementation must include Caltrans coordination, approvals and conformance with their standards for construction documents.

8. Cost Estimating

8.1 Assessment of Cost Per Acre

"The California Department of Transportation has available cost-per-acre data for landscaping. While the costs reflect a basic design that includes trees, erosion control and shrubs and do not reflect the level of landscaping shown in the design concepts, the data can be used as a baseline upon which to add the costs required to construct the concepts provided in this planning document.

"The source of the following "Caltrans Highway Planting Cost per Acre and Water Assessment Fee Limits" is a May 4th 2011 memorandum published by the California Department of Transportation Headquarters, Principal Landscape Architect Landscape Architecture Program. Omitted from the text below are costs associated with years prior to 2013.

"Current maximum cost per acre and water assessment fee limits for highway planting are listed by fiscal year below. The costs are shown for both one and three-year plant establishment periods. Design for safety, roadside management and storm water features shall be included in the scope of all projects, but the related project costs are not to be included when determining the maximum cost per acre.

"Three years of plant establishment shall be included with the contract for highway planting projects (including Highway Planting, Highway Planting Restoration, Re-vegetation, and Replacement Planting, as defined in the Project Development Procedures Manual). A three-year plant establishment period assures that plants are healthy and established, and the irrigation systems function as planned. This policy applies to highway planting projects within State right-of-way regardless of the funding source. A plant establishment period of less than three years shall receive concurrence from District Maintenance and District Landscape Architecture through the approval of the Project Report and approval from the Landscape Architecture Program shall be in a concurrence memo attached to the Project Report. A plant establishment period of less than three years may be justified when there will be a benefit to the State.

"If cost over-runs occur after project programming and prior to the programmed year, additional funds may be available from District or program savings. If funds are not available to accommodate cost over-runs, the district must determine what changes can be made to the project to keep within the programmed amount and minimize the impact to the plant establishment period and purpose and need of the project. If cost changes are unavoidable, a Program Change Request should be submitted to the Project Management Program as early as possible in the project development process. If no cost reduction alternatives are available, the project may need to be delayed and reprogrammed when funds become available.

"Maximum highway planting cost/acre including a three-year plant establishment period are:

- 2013/14 FY (1/14 base year for 2014 SHOPP) $52,000/ac
- 2014/15 FY (1/15) $52,700/ac
- 2015/16 FY (1/16 base year for 2016 SHOPP) $53,400/ac
- 2016/17 FY (1/17) $54,100/ac

"Maximum water assessment costs/acre are:

- 2013/14 FY (1/14 base year for 2014 SHOPP) $1,040/ac
- 2014/15 FY (1/15) $1,660/ac
- 2015/16 FY (1/16 base year for 2016 SHOPP) $1,660/ac
- 2016/17 FY (1/17) $1,700/ac

"Projects shall be identified in the 10-Year SHOPP Plan prior to developing Project Initiation Documents for SHOPP candidate projects. It is imperative that the cost and schedule of every un-programmed project be reviewed annually to ensure they are current, complete and accurate.

If you have any questions regarding this memo, please contact Suzy Namba, Chief, Office of Landscape Architecture Coordination and Planning, at (916) 454-2594 or email at suzy_namba@dot.ca.gov."
8.2. Cost Estimates

The document below is a useful tool for determining construction cost estimates for landscaped areas and structures aesthetics for highway improvement projects within interchanges and straight sections of State Route 99. The costs are itemized for each design theme. All costs will require adjustment to account for physical configuration and size of individual projects, inflation factors and design refinements as a project moves through the process of developing construction documents for contractors to review and submit bids for construction.

**SR99 CORRIDOR ENHANCEMENT PLAN**

**ORDER OF MAGNITUDE ESTIMATED CONSTRUCTION COSTS FOR LANDSCAPING AND STRUCTURES AESTHETICS**

**Date: November 1, 2016**

<table>
<thead>
<tr>
<th>LANDSCAPE</th>
<th>Agricultural</th>
<th>Light Industrial-Commercial</th>
<th>Riparian</th>
<th>Urban</th>
</tr>
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<tr>
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<tr>
<td>(Cost Per Quadrant)</td>
<td>(Cost Per Quadrant)</td>
<td>(Cost Per Quadrant)</td>
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**NOTES ON LANDSCAPE COSTS**

Additional factors that will need to be considered:
- The landscape may be part of a larger project.
- The landscape may be a stand alone project.
- The water source for irrigation may be existing or new.
- Storm water management requirements for each interchange will vary.

<table>
<thead>
<tr>
<th>AESTHETIC FEATURES</th>
<th>Agricultural</th>
<th>Light Industrial-Commercial</th>
<th>Riparian</th>
<th>Urban</th>
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</thead>
<tbody>
<tr>
<td>Interchange:</td>
<td>Interchange:</td>
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<td>Interchange:</td>
</tr>
<tr>
<td>(Cost Per Quadrant)</td>
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<tr>
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<td>$372,506</td>
<td>$348,143</td>
<td>$552,483</td>
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**NOTES ON AESTHETICS COSTS**

1. Costs obtained from the 2014 Pelandale Bridge Project have been increased by 6% to reflect year 2016 estimated construction costs.
2. The costs shown here are for aesthetic finishes and features only and do not include basic structural components of an interchange such as bridges, retaining walls, ramps, paving and lighting.
3. Soundwall and retaining wall costs for mainline between interchanges will need to be determined.
RESOLUTION AMENDING THE FISCAL YEAR 2016-2017 ANNUAL OPERATING AND CAPITAL IMPROVEMENT BUDGET

WHEREAS, a financial analysis has been completed and it has been determined that a budget adjustment is required to the Annual and Capital Improvement Budgets of the City of Modesto for Fiscal Year 2016-17,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Fiscal Year 2016-17 Annual Operating and Capital Improvement budgets as shown in Exhibit A, which is attached hereto and incorporated by reference herein.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to take the necessary steps to implement the provisions of this resolution.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following votes:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST:  

STEFANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:
By: ADAM U. LINDGREN, City Attorney
COMMUNITY AND ECONOMIC DEVELOPMENT
A budget adjustment is necessary for a total cash transfer of $94,954 from various Community Facilities District (CFD) Funds to each of their corresponding Capital Funds. This is to correct the fund balances after incorrect calculations of year-end journals related to Fleet Services expenses in previous fiscal years. The total $94,954 includes: $38,948 from Fund 3200 (Village One) to Fund 3201 (Village One – Capital Fund); $721 from Fund 3265 (NorthPointe CFD S.R. Fund) to Fund 3266 (NorthPointe CFD – Capital Fund); $1,850 from Fund 3270 (Carver/Bangs Pelandale/Snyder CFD) to Fund 3281 (Pelandale/Snyder CFD Fund – Capital Fund); and $53,435 from Fund 3290 (Village One #2 CFD Fund) to Fund 3295 (Village One #2 CFD Fund – Capital Fund).

FIRE DEPARTMENT
A budget adjustment is necessary in the amount of $1,766,970 to increase the expense and revenue budgets for the 2017 Emergency Flood Aid project in Fund 1341 (Grants - Operation Grants Reimbursable Fund). The City received notice about reimbursement funding at the State level related to the Emergency Flood Storms and it is estimated that the payroll and non-payroll expenses will require an increase of approximately $1,766,970. This budget adjustment is required in order track expenses for the purpose of tracking against this emergency situation and will be critical in receiving appropriate reimbursement from the State.

HUMAN RESOURCES
A budget adjustment is necessary to recognize $560,106 in unbudgeted revenue for reimbursement for a settlement payment from excess insurance, and the utilization of $250,000 from the Worker’s Compensation Fund, 5320, fund balance, and reallocate said funds to the discretionary expense budget for costs associated with claim payments.

UTILITIES
A budget adjustment is necessary to transfer $65,000 from Water Fund Reserves, as well as, establish a transfer from the Wastewater Fund (4210) to the Water Fund (4100) in the amount of $65,000 to create Capital Improvement Project #101030, Customer Services Carpet Replacement. The existing carpet in the Customer Services area of Tenth Street Place is lifting and tearing, posing a tripping hazard.

A budget adjustment is necessary to transfer $200,000 from Wastewater Reserves to establish Capital Improvement Project #101032 for the Rouse Easement Improvement project. This project provides site improvements to 1850 Rouse, which is an existing lot owned by the City as an easement for the existing Emerald Sewer Trunk. The city will be partnering with the Parks Planning Development and a neighborhood committee to maintain the lot as a garden area.

A budget adjustment is necessary to transfer $1,500,000 from Wastewater Fund Reserves to establish Capital Improvement Project #101031 for the Tertiary Phase 1A Membrane Replacement project. The existing membrane units are failing and need to be replaced to continue treatment.
PUBLIC WORKS

A budget adjustment is necessary to increase the Intergovernmental Services – Other account by $100,000 for the 5810 Tenth Street Place expense budget in order to process future TSP Joint Power Agreement invoices for the remainder of the fiscal year. The monthly invoices are coming in higher than originally budgeted as they include costs related to security enhancements. Once all expenses are incurred, a year-end true-up will be performed to ensure that the City and County are paying the appropriate amount for the project.

A budget adjustment is necessary to transfer $855,000 from Green Waste Fund Reserves, Fund 4892, as follows; increase Cost Center 56020, Green Waste Collection, Appropriation Unit C expense budget in the amount of $236,000, and, increase Cost Center 56040, Community Forestry, Appropriation Units A & C expense budgets totaling the amount of $619,000. This is due to unforeseen labor costs related to the Winter Storms of 2017.
RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE MODESTO SUNRISE ROTARY AND THE CITY OF MODESTO REGARDING THE INSTALLATION AND MAINTENANCE OF A PARK SIGN IN GARRISON NEIGHBORHOOD PARK AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE MOU

WHEREAS, in late 2016, staff met with members of the Modesto Sunrise Rotary regarding the park sign in Garrison Neighborhood Park, and

WHEREAS, the Modesto Sunrise Rotary wants to donate a pre-cast concrete monument park sign at Garrison Neighborhood Park, and

WHEREAS, meetings were held with Modesto Sunrise Rotary members and City staff to obtain agreement on the project scope, and

WHEREAS, City staff has prepared a Memorandum of Understanding (MOU) to allow the Modesto Sunrise Rotary to install and maintain the donated pre-cast concrete monument park sign on City property, and

WHEREAS, the MOU outlines the terms of the agreement for both parties.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a Memorandum of Understanding between the Modesto Sunrise Rotary and the City of Modesto regarding the installation and maintenance of a park sign in Garrison Neighborhood Park.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute the MOU.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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 ACCEPTING THE BID AND AWARDING A CONTRACT TO AVAIL TECHNOLOGIES, INC., STATE COLLEGE, PA, FOR THE PURCHASE OF 18 AVL EQUIPMENT UPGRADES AND INSTALLATION FOR THE MODESTO AREA EXPRESS (MAX) BUS FLEET IN THE AMOUNT OF $367,509, AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, on May 9, 2017, a Request for Bids (RFB) was issued, soliciting proposals from qualified firms, and

WHEREAS, Avail Technologies, Inc. submitted a proposal that was determined to be reasonable and cost effective, and

WHEREAS, the RFB conformed to the formal bid procedures in Modesto Municipal Code section 8-3.203, and staff recommends awarding the contract to the lowest responsive and responsible proposal submitted by Avail Technologies, Inc., and

WHEREAS, Modesto Municipal Code Section 8-3.203 generally requires all purchases, which meet or exceed $50,000 for material, equipment or contractual services to be formally bid. The award of contract for the purchase of AVL equipment upgrades, to Avail Technologies, Inc., State College, PA, conforms to the Modesto Municipal Code, 8-3.203, and

WHEREAS, on February 28, 2017, Council, by Resolution No. 2017-86, implemented a spending freeze in order to maintain the fiscal sustainability of the City. The City Manager’s Office approved an exception to this freeze for this procurement due to the increased functionality the new AVL system will provide for the MAX system, granting agency expectations and keeping MAX equipment in a state of good repair.
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts the bid and awards the contract to Avail Technologies, Inc., State College, PA, for the purchase of 18 AVL systems for the Modesto Area Express (MAX) bus fleet in the amount of $367,509.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute the agreement in a form approved by the City Attorney.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING AN AGREEMENT WITH SCS ENGINEERS, MODESTO, CA FOR THE PREPARATION OF THE SOLID WASTE RATE AND FEE STUDY IN AN AMOUNT NOT TO EXCEED $45,000 FOR THE IDENTIFIED SCOPE OF SERVICES, PLUS $6,750 FOR ADDITIONAL SERVICES (IF NEEDED), FOR A MAXIMUM TOTAL AMOUNT OF $51,750, AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, the City of Modesto has service agreements with Gilton Solid Waste and Bertolotti Disposal to provide solid waste and recycling services to approximately 57,000 residential and over 11,000 commercial and industrial customers in Modesto, and

WHEREAS, the City of Modesto provides tree trimming services to over 81,000 trees in our urban forest and street and alley green waste collection, and

WHEREAS, the City owns and operates the Modesto Composting Facility which processes over 65,000 tons of residential and commercial green waste, as well as the forestry/green waste diversion material instead of it being disposed of in a landfill, and

WHEREAS, the Modesto City Council does not set the actual rate the collection companies can charge to pick up the garbage; instead it sets the maximum rates that the collection companies can charge for each type of service, and

WHEREAS, rate reviews are conducted on an annual basis every July 1, and the City last conducted an annual rate review and adopted new rates on July 1, 2016, and

WHEREAS, the City has not conducted a comprehensive review of the Solid Waste rates and fees, or cost of services, for more than 10 years, and

WHEREAS, there have been many factors over that time frame that have created severe negative impacts on the solid waste fund budgets, and

WHEREAS, the tree pruning cycle is currently at 12 years; new environmental
regulations such as AB 32, AB 341, AB 1826, and SB 1383 require compliance; the City has aging and failing equipment; there have been severe staffing reductions; and State Agencies are requiring major infrastructure changes, and

WHEREAS, it was determined that the Solid Waste Division needed a comprehensive analysis of the City’s residential, commercial, and industrial solid waste and recycling rates, along with associated fees for service impacts, recycling, illegal dumping, green waste diversion, and composting that would sustain the enterprises while protecting the interests of the community and meeting regulatory requirements, and

WHEREAS, the staff does not have the level of expertise required to conduct such a comprehensive cost of service study, therefore the City Manager approved staff’s request to prepare and issue a Request for Proposal (RFP) and

WHEREAS, there were four firms that responded to the RFP and the City had a bid review team of three who reviewed and evaluated the proposals according to the evaluation criteria set forth in the RFP, and

WHEREAS, the proposals were all independently scored and then tallied by the Purchasing Agent for the City, and the award given to the proposal with the highest number of points received, and

WHEREAS, the funding for the consultant services agreement will come from the Professional Services account (53300) equally divided from the following current FY 2017-2018 budgeted funds and cost centers: Forestry, Solid Waste Management, and Compost Operations.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an agreement with SCS ENGINEERS, Modesto, CA for the preparation of the Solid Waste Rate and Fee Study in an amount not to exceed $45,000 for
the identified scope of services, plus $6,750 for additional services (if needed), for a maximum total amount of $51,750.

BE IT FURTHER RESOLVED, that the Interim City Manager, or his designee, is hereby authorized to execute the Agreement, in a form approved by the City Attorney.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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: 

APPROVED AS TO FORM

By: ADAM U. LINDGREN, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2017-279

RESOLUTION APPROVING THE QUARTERLY FUEL ADJUSTMENTS TO THE MAXIMUM RATE SCHEDULE FOR CITY SOLID WASTE COLLECTION SERVICES OF $0.08 PER MONTH FOR RESIDENTIAL SERVICES AND $.07 PER CUBIC YARD PER MONTH FOR COMMERCIAL SERVICES, RETROACTIVE TO JULY 1, 2017, AND RESCINDING RESOLUTION NO. 2017-13

WHEREAS, with the adoption of Ordinance No. 3068-C.S. in November of 1997, the City no longer sets rates for the collection of garbage in Modesto, and instead performs a comprehensive review of cost information submitted by the contract garbage haulers, and

WHEREAS, the City sets the maximum rate that the haulers may charge for the various types of services provided under the contracts based on cost data provided by the lowest cost hauler, and

WHEREAS, Section f (2) of the City’s Service Agreements with its solid waste collectors requires that when the City makes adjustments to the collection services provided under the Agreements, any additional costs should be covered by adjustments to the maximum rates, and

WHEREAS, in addition, maximum rates for solid waste collection services are reviewed annually as requested by the City’s garbage collection companies, and

WHEREAS, the City conducted an analysis using the audited financial statements provided by the garbage haulers, supplemental data provided by the garbage haulers, and fuel price information and forecast prices developed by the United States Department of Energy, and

WHEREAS, new maximum rates were calculated, and a recommendation for a new maximum rate schedule was developed, which included a recommendation that

RESOLVED, by the City Council of the City of Modesto, that the quarterly adjustments to the maximum rate schedule be approved as follows:

RESOLVED, by the City Council of the City of Modesto, that this resolution be so adopted and filed.

JUN 12 2018

RESCIND

2017-279

THIS RESOLUTION WAS RESCIND BY MODESTO CITY COUNCIL RESOLUTION NO.
2018-241 2018-242
quarterly adjustments to the fuel component of the maximum rates be made, and

WHEREAS, staff has made adjustments related to the fuel component of the maximum rates and has incorporated the fuel component adjustments into the schedule of the Maximum Charges for Garbage Service attached hereto, marked Attachment A, July 1, 2017, and incorporated herein by reference, and

WHEREAS, fuel adjustments occur on a quarterly basis if needed. The fuel rates were analyzed for the April 1, 2017 adjustment, and it was determined that there was not a significant change to make the adjustment, and

WHEREAS, on January 10, 2017 by Resolution No. 2017-13, the City Council approved the schedule for Maximum Charges for Garbage Service retroactive to January 1, 2017, and incorporated by reference, and

WHEREAS, this action is to adjust maximum rates for existing services and therefore does not require environmental review, and

WHEREAS, it was found and determined by the Council of the City of Modesto that the quarterly adjustments to the fuel component of the maximum rates should be made.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the attached quarterly fuel adjustments to the Maximum Rate Schedule for City solid waste collection services of $0.08 per month for residential services and $.07 per cubic yard per month for commercial services retroactive to July 1, 2017.

BE IT FURTHER RESOLVED, that adjustments to the Maximum Rate Schedule for Garbage Services, Attachment A, dated July 1, 2017 are approved and shall become effective retroactive to July 1, 2017 and shall remain in effect until rescinded.
BE IT FURTHER RESOLVED that Resolution No. 2017-13 is hereby rescinded effective July 1, 2017.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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
MAXIMUM CHARGES FOR GARBAGE SERVICE

STANDARD CONTAINERS
Maximum Monthly Rates (Once a Week Pickup Service)

Standard container service maximum rates shall include the following:
- One 96-gallon container for garbage and one 96-gallon container for organics recycling
- Two bulky item collections per year by appointment
- Maintenance of City trees, including collection & composting of Green Waste/Forestry materials
- Removal of illegally dumped items in streets and alleys
- Drop off program for Household Hazardous Waste at the HHW Facility

Standard container service customers may opt for smaller containers; however, maximum rates apply. Containers must be placed in a location set forth in Section 5-5.111 of the Municipal Code.

1. **Standard container service**
   a. The maximum rate for new sign-ups for service or changes in service that occur after October 1, 1996, shall be **$30.60 per month** regardless of size of container. A fuel component of $.94 per month is included in the maximum rate for January 2017 through March 2017. The fuel component may be adjusted quarterly as needed.
   b. The maximum rate for each additional garbage container shall be **$21.44 per month**, and **$10.27 per month** for each additional organics recycling container.

2. **60-gallon container service (grandfathered customers)**
   a. The maximum rate for customers with 60-gallon containers who subscribed to service at an address prior to July 1, 1996 and who have not changed their service address shall be **$24.19 per month**. A fuel component of $.94 per month is included in the maximum rate for January 2017 through March 2017. The fuel component may be adjusted quarterly as needed.
   b. The maximum rate for each additional 60-gallon garbage container shall be **$20.90 per month**.
3. **Fuel Component adjustments** - The fuel component will be analyzed quarterly and adjustments shall be made as needed. The adjustment shall be based on the average price of fuel for a preceding quarter as follows: July 1/January-March; October 1/April-June; January 1/July-September; April 1/October-December. Average prices shall be determined based on published prices for California from the Department of Energy, Energy Information Agency.

**DETACHABLE CONTAINERS**

**Maximum Monthly Rates**

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<th>Container Size</th>
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<td>$472.32</td>
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<td>$708.48</td>
</tr>
<tr>
<td>4 CY</td>
<td>$157.44</td>
<td>$314.88</td>
<td>$472.32</td>
<td>$629.76</td>
<td>$787.20</td>
<td>$944.64</td>
</tr>
<tr>
<td>5 CY</td>
<td>$196.80</td>
<td>$393.60</td>
<td>$590.40</td>
<td>$787.20</td>
<td>$984.00</td>
<td>$1,180.80</td>
</tr>
<tr>
<td>6 CY</td>
<td>$236.16</td>
<td>$472.32</td>
<td>$708.48</td>
<td>$944.64</td>
<td>$1,180.80</td>
<td>$1,416.96</td>
</tr>
</tbody>
</table>

**Organic Recycling Participants signed prior to 2016 Container Maximum Rates**

<table>
<thead>
<tr>
<th>Container Size</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 CY</td>
<td>$59.04</td>
<td>$118.08</td>
<td>$177.12</td>
<td>$236.16</td>
<td>$295.20</td>
<td>$354.24</td>
</tr>
<tr>
<td>3 CY</td>
<td>$88.56</td>
<td>$177.12</td>
<td>$265.68</td>
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<tr>
<td>4 CY</td>
<td>$118.08</td>
<td>$236.16</td>
<td>$354.24</td>
<td>$472.32</td>
<td>$590.40</td>
<td>$708.48</td>
</tr>
<tr>
<td>5 CY</td>
<td>$147.60</td>
<td>$295.20</td>
<td>$442.80</td>
<td>$590.40</td>
<td>$738.00</td>
<td>$885.60</td>
</tr>
<tr>
<td>6 CY</td>
<td>$177.12</td>
<td>$354.24</td>
<td>$531.36</td>
<td>$708.48</td>
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<td>90-gallon</td>
<td>$22.95</td>
<td>$45.90</td>
<td>$68.85</td>
<td>$91.80</td>
<td>$114.75</td>
<td>$137.70</td>
</tr>
</tbody>
</table>

1. **Weekly rental/Detachable Containers** - Shall not exceed the rate for 1 pick-up per week for each size container.

2. **Fuel Component** - A fuel component of $.82 per cubic yard per month per pick-up is included in the maximum rate for January 2017 through March 2017. The fuel component shall be analyzed quarterly and adjustments shall be made as necessary. The adjustment shall be based on the average price of fuel for a preceding quarter as follows: July 1/January-March; October/April-June; January 1/July-September; April 1/October-December. Average prices shall be determined based on published prices for California from the Department of Energy, Energy Information Agency.
determined based on published prices for California from the Department of Energy.

**DROP BOX CONTAINERS**

1. **Pick up charge** - $248.22 per pick-up
2. **Rental**
   - $0.85 per day up to 7 day maximum rental
   - $3.00 per day for boxes kept 7 or more days without servicing
   - $10.00 per day for boxes kept 21 or more days without servicing

3. **Disposal charge** - Actual charge to be paid by customer. Garbage company will provide up to 40 CY Drop Box containers for above stated charges subject only to load limit of transfer vehicle. An AB 939 Green Waste Diversion Fee of $14 per ton is added to the disposal charges.

**COMPACTORS**

**Front Loader Type:**

<table>
<thead>
<tr>
<th>Container Size</th>
<th>NUMBER OF COLLECTIONS PER WEEK</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
</tr>
<tr>
<td>3 CY</td>
<td>$354.24</td>
</tr>
<tr>
<td>4 CY</td>
<td>$472.32</td>
</tr>
<tr>
<td>6 CY</td>
<td>$708.48</td>
</tr>
</tbody>
</table>

**Roll-Off Types:**

1. 6 CY to 40 CY  
2. Hospital waste compactors  
3. Washing compactor  
4. Disposal Charge:  
5. AB 939 Green Waste Diversion Fee

**EXTRA PICKUPS**

1. Standard containers or equivalent  
2. Detachable containers

**SPECIAL SERVICE CONDITIONS**

In situations where none of the above maximum rates reasonably apply, the cost of service is to be negotiated between the garbage company and the customer.
DETACHABLE CONTAINER ONLY
REPLACEMENT AND CLEANING SERVICE

<table>
<thead>
<tr>
<th>1 CY</th>
<th>1½ CY</th>
<th>2 CY</th>
<th>3 CY</th>
<th>4 CY</th>
<th>5 CY</th>
<th>6 CY</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10.12</td>
<td>$11.00</td>
<td>$12.10</td>
<td>$15.40</td>
<td>$20.24</td>
<td>$25.08</td>
<td>$29.92</td>
</tr>
</tbody>
</table>

NOTATIONS
1. The above maximum rates include a $0.25 per month residential recycling fee; a $0.05 per cubic yard ($0.22/cubic yard/month) commercial recycling fee; and a $5.00 per pull ($0.25 per ton) industrial recycling fee; a $0.05 per cubic yard ($0.22/cubic yard/month) commercial litter abatement fee.
2. The above residential maximum rates include a $4.26 per month per household AB 939 Green Waste Diversion Fee.
3. The above commercial bin and front-loader compactor maximum rates include an AB 939 Green Waste Diversion Fee of $7.79 per yard/month.
4. Carpenter Road Landfill Mitigation Fees for residential shall be $.50 per household per month and commercial wastes shall be $.91 per month for 1 cubic yard collected 1 time per week. Carpenter Road Landfill Mitigation fees on Industrial wastes shall be $5.00 per pull on industrial wastes.
5. Pursuant to Section 11-6.16(c)(2) of the Modesto Municipal Code, the garbage company may require a deposit equivalent to two (2) months service charge from customers prior to beginning service. The deposit will be credited back to the customer after 18 months under specified conditions.
RESOLUTION AUTHORIZING STAFF TO AMEND THE EXISTING PURCHASE AGREEMENT WITH CENTRAL VALLEY ELECTRIC, MODESTO, CALIFORNIA, INCREASING THE AMOUNT FROM $350,000 TO $575,000

WHEREAS, the City of Modesto entered into a contract purchase agreement No. 1314-17 with Central Valley Electric in 2013 for an estimated annual cost of $70,000, totaling $350,000 over a five year period, and

WHEREAS, the majority of electrical repairs are performed by City staff Electricians, and

WHEREAS, occasionally contractors are used when electrical repair and preventative maintenance workload exceeds the staff hours available to perform the work, and

WHEREAS, in order to ensure the proper safety for employees and the public the work must be expedited, and

WHEREAS, due to exigent circumstances, the contract amount has been exceeded by $101,440, and

WHEREAS, staff estimates an additional $123,560 will need to be expended between July 1, 2017 and December 31, 2017 for electrical work essential to public and employee safety, and

WHEREAS, Modesto Municipal Code Section 8-3.204(c), Exceptions to the Formal Bidding Procedures, provides that the Purchasing Manager has the authority to exempt certain purchases from the formal bidding process due to exigent circumstances. The Purchasing Manager recommends staff be allowed to increase spending authority.
under this purchase agreement to $575,000 to ensure that electrical repair services are not interrupted and needed repairs are not significantly delayed, and

WHEREAS, contracted services need to be available in the event of an emergency condition or specific job and serve to supplement existing City forces.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the existing purchase agreement with Central Valley Electric, Modesto, California be increased from $350,000 to $575,000.

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

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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: 

STEFANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING AN AGREEMENT WITH CAROLLO ENGINEERS, INC., WALNUT CREEK, CA, FOR ON-CALL HYDRAULIC WASTEWATER COLLECTION SYSTEM MODELING SUPPORT SERVICES FOR A TERM OF ONE YEAR WITH TWO ONE-YEAR EXTENSIONS AT THE SOLE DISCRETION OF THE CITY, NOT TO EXCEED $75,000 PER YEAR FOR A TOTAL COST OF $225,000 OVER THE TERM OF THE AGREEMENT, AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT, AND UP TO TWO, ONE-YEAR EXTENSIONS

WHEREAS, a hydraulic model of the City’s wastewater collection system was developed in 2005 as part of the City’s 2007 Wastewater Master Plan, and

WHEREAS, the model was previously used to analyze the City’s wastewater collection system and evaluate development specific projects and proposed improvements, and

WHEREAS, on September 2, 2014, by Resolution No. 2014-334, Council approved an agreement with Carollo Engineers, Inc. (Carollo), for consultant services to update the Wastewater Master Plan, and

WHEREAS, the scope of work included updating, adding new functionality, and recalibrating the City’s current hydraulic wastewater collection system model, and

WHEREAS, modeling support is needed for timely analysis related to design of wastewater collection system infrastructure and to assist/optimize wastewater collection system operations, and

WHEREAS, Carollo was selected to develop the City’s 2007 Wastewater Master Plan and built a hydraulic model as part of that work, and
WHEREAS, Carollo has been providing wastewater collection system hydraulic modeling support for several years, typically related to a specific task, such as the Tivoli Specific Plan Area Project, and

WHEREAS, when on-call hydraulic wastewater system modeling services are required on an “as needed” basis, written task orders will be issued to the consultant identifying the scope, cost, and schedule to complete the specific task, and

WHEREAS, on February 28, 2017, Council approved Resolution No. 2017-86 implementing a spending freeze in order to maintain fiscal sustainability of the City, and

WHEREAS, as allowed by this resolution, the City Manager’s Office approved an exception to this freeze for this procurement, and

WHEREAS, justification for this exception is that the projects were previously approved and adopted as part of the current Fiscal Year 2016-2017 Capital Improvement Program, are needed to provide safe and reliable utilities, and a budget transfer from reserves to provide the required services, will not be required, and

WHEREAS, in accordance with Modesto Municipal Code 8-3.204(a) Exceptions to Formal Bidding Requirements, this agreement for professional services is exempt from the bid requirement, and

WHEREAS, therefore, staff recommends approval of the above on-call consultant agreement for hydraulic wastewater collection system modeling support services,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an Agreement with West Yost Associates, Inc., Davis, CA, for On-call Grant Writing Services for various City projects for one year, with two one-year
extension options, at the sole discretion of the City, in an amount not to exceed $45,000 per year.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute the agreement in a form approved by the City Attorney, and up to two one-year extension options.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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 FIRST AMENDMENT TO THE AGREEMENT WITH BARTKIEWICZ, KRONICK & SHANAHAN, P.C., SACRAMENTO, CA, TO PROVIDE LEGAL SERVICES FOR THE STATE WATER RESOURCES CONTROL BOARD SUBSTITUTE ENVIRONMENTAL DOCUMENT IN AN AMOUNT NOT TO EXCEED $35,000, AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT

WHEREAS, the City provides water service to over 73,000 accounts and over 200,000 customers throughout the City of Modesto, the communities of Salida, Empire, Grayson, Del Rio, and portions of the Cities of Ceres and Turlock, and

WHEREAS, the City's water sources consist of approximately two-thirds groundwater and one-third treated surface water purchased from the Modesto Irrigation District (MID), and

WHEREAS, on September 15, 2016, the State Water Resources Control Board (SWRCB) released a revised Draft Substitute Environmental Document (SED) in support of Phase 1 of its Bay-Delta Water Quality Control Plan, which is over 1,850 pages, not including appendices, and

WHEREAS, the State proposes to take 40 percent of unimpaired flow from the Tuolumne River for fish and wildlife beneficial uses and salinity control, and

WHEREAS, this proposal will have a major impact to the existing water supplies and operations of the Don Pedro Reservoir, which is jointly operated by both MID and Turlock Irrigation District (TID), and

WHEREAS, this proposed action would severely impact the City's domestic water supplies, as the Tuolumne River is the source of Modesto's surface water, and
WHEREAS, the reduction of surface water would result in additional groundwater pumping to meet the City’s municipal water demands, and will not be sustainable under the Sustainable Groundwater Management Act (SGMA), which was effective January 1, 2016, and

WHEREAS, in addition, the Modesto water rate payers have a substantial investment for the construction of the two phases of the Modesto Regional Water Treatment Plant, which has the capacity to ultimately treat more than 60 million gallons per day, and

WHEREAS, on December 6, 2016, by Resolution No. 2016-479, Council approved an agreement with Bartkiewicz, Kronick & Shanahan, P.C. (BKS) to provide legal services for the State Water Resources Control Board Substitute Environmental Document, and

WHEREAS, BKS has demonstrated that they are experts in California water law, and have recently assisted the City with several important water-related issues, and

WHEREAS, BKS has previously worked with the City on water-rights related issues for the North Valley Regional Recycled Water Program in 2015, and provided exceptional assistance and support, and

WHEREAS, on behalf of the City, BKS most recently prepared extensive comments to the Draft SED, and coordinated their efforts with MID, and

WHEREAS, these comments were submitted to the SWRCB in March 2017, and

WHEREAS, It is anticipated that the SWRCB will be issuing their findings in the summer 2017, and
WHEREAS, should the state prevail in increasing MID's unimpaired flow in the Tuolumne River, it will negatively impact the City’s domestic water supplies, and

WHEREAS, staff recommends having BKS available to provide additional legal assistance for City regarding water-related issues, including water rights, current and future water supplies and attending/conducting workshops, and

WHEREAS, therefore, staff recommends approval of a first amendment to the agreement with BKS for legal services for the SWRCB SED, and

WHEREAS, on February 28, 2017, by Resolution No. 2017-86, Council approved implementing a spending freeze in order to maintain fiscal sustainability of the City, and

WHEREAS as allowed by this resolution, the City Manager’s Office approved an exception to the freeze for this procurement, and

WHEREAS, justification for this exception is that the agreement was previously approved by Council, and this amendment is needed to provide safe and reliable utilities, and

WHEREAS, in accordance with Modesto Municipal Code 8-3.204(a) Exceptions to Formal Bidding Requirements, the first amendment to the agreement is for professional services and, therefore, exempt from the bid requirement,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the First Amendment to the Agreement with Bartkiewicz, Kronick & Shanahan, P.C., Sacramento, CA, to provide legal services for the State Water Resources Control Board Substitute Environmental Document in an amount not to exceed $35,000.
BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute the First Amendment to the Agreement in a form approved by the City Attorney.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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 REJECTING ALL BIDS RECEIVED FOR RFB NO. 1617-14 FOR RENTAL EQUIPMENT SERVICES AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO RE-RELEASE THE RFB AT A FUTURE DATE, WITH AN AMENDED SCOPE OF SERVICES AND AN UPDATED BIDDER NOTIFICATION PROCESS, FOR RENTAL EQUIPMENT SERVICES

WHEREAS, on March 29, 2017, staff advertised a Notice Inviting Bids for 1617-14 ("Rental Equipment Services"); and

WHEREAS, on May 9, 2017 staff received two bids; and

WHEREAS, upon further review, staff would like to amend the Scope of Services and update the bidder notification process due to comments from local vendors that the Request For Bid (RFB) was not received by some vendors; and

WHEREAS, staff believes that there should be a minimum of three rental equipment providers on the list; and

WHEREAS, staff recommends rejecting bids for Rental Equipment Services and re-bidding the project at a later date in accordance with Modesto Municipal Code section 8-3.203(e).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby rejects proposals received for RFB No. 1617-214 for Rental Equipment Services.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to re-release an RFB at a future date with an amended Scope of Work.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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
WHEREAS, the City of Modesto provides water service to the Grayson Community through Well #274 and Well #295, which both have high nitrate levels, and

WHEREAS, in August 2002 the California Department of Public Health issued a Compliance Order directing the City to have a reliable treatment system in place by April 2003, and

WHEREAS, Basin Water, Inc. was awarded a contract to install an ion exchange treatment process to reduce the nitrate levels, and

WHEREAS, Basin Water, Inc. was later purchased by Envirogen Technologies, and the City has been on a month-to-month lease for nitrate treatment services with Envirogen Technologies for the last twelve years, and

WHEREAS, on October 11, 2016, City Council approved by Resolution No. 2016-412, an Equipment Lease to Purchase Agreement with Envirogen Technologies for the equipment used at Well #274 and Well #295, and

WHEREAS, at the end of the Equipment Lease to Purchase Agreement on October 31, 2019, Envirogen agrees to sell the equipment to the City of Modesto, and

WHEREAS, the wells with the Grayson Community Water System continue to have high nitrate levels, and
WHEREAS, the equipment leased under the Envirogen Technologies Lease to Purchase Agreement reduces nitrate levels by using an ion exchange treatment process, and

WHEREAS, City staff recommends approval of a Support Services Agreement for the Grayson wells with Envirogen Technologies of Rancho Cucamonga, CA, for an estimated annual cost of $125,500, and over five years of $627,500, and

WHEREAS, Modesto Municipal Code, Section 8-3.204(b), Exceptions to the Formal Bidding Requirements, allows the Purchasing Manager to exempt from the formal bidding requirements certain purchases that can only be met solely by a single article or process. In this case, the Purchasing Manager has determined that this Agreement is exempt because the City has been operating with this water support service with Envirogen for over 12 years, Envirogen currently owns the water treatment system, and removal and replacement of the existing equipment would be unnecessarily costly and could result in delays in service due to additional testing requirements.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves accepting a Water Support Services Agreement with Envirogen Technologies, Inc., Rancho Cucamonga, CA, for support services to Well #274 and Well #295 within the Grayson community water system, for a one-year term with four one-year extension options at the sole discretion of the City for an estimated annual cost not to exceed $125,500 and $627,500 over five years.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute the Agreement, in a form approved by the City Attorney.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION CALLING A SPECIAL ELECTION FOR THE CITY OF MODESTO TO ANNEX TERRITORY TO CITY OF MODESTO COMMUNITY FACILITIES DISTRICT NO. 2007-1 (NORTH BEYER PARK #2)

WHEREAS, this Council did, on May 23, 2017, adopt its Resolution No. 2017-191 (Resolution of Intention to Annex) to indicate it intention to annex certain territory to the City of Modesto Community Facilities District 2007-1 (North Beyer Park #2) (the District) and authorize the levy of District special taxes within the territory proposed to be annexed (Annexed Territory), pursuant to Chapter 2.5 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 (Act), and setting a hearing thereon, 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 map of the Annexed Territory, entitled “Proposed Boundaries of Annexation No. 1 to the City of Modesto Community Facilities District No. 2007-1 (North Beyer Park #2)” was recorded on June 19, 2017, in the Office of the County Recorded of Stanislaus, in Book 5 of Maps of Assessment and Community Facilities Districts, at page 62, and

WHEREAS, at the time and date set for the hearing July 11, 2017 pursuant to the Resolution of Intention to Annex, this Council held the public hearing, as required by the Act, related to the proposed annexation and the levy of the District special taxes 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 and the levy of the District special taxes within the Annexed Territory, and all other matters set forth in the Resolution of Intention to Annex, including all interested persons for or against the proposed annexation to the District and the levy of the District special taxes within the Annexed Territory were heard and considered, and a full and fair hearing was held thereon, and

WHEREAS, at the hearing evidence was presented to this Council on the matters before it, and this Council, at the conclusion of the hearing, was fully advised as to all matters related to the proposed annexation and the levy of the District special taxes within the Annexed Territory, 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 District special taxes within the Annexed Territory have not been filed with the City Clerk by 50 percent or more of the registered voters or six registered voters, whichever is more, residing within the District or residing within the Annexed Territory, or the owners of one-half or more of the land in the District, or in the Annexed Territory, and

WHEREAS, the Stanislaus County Registrar of Voters has certified there are less than 12 registered voters residing in the Annexed Territory; accordingly, the qualified electors are the landowners, and

WHEREAS, the City Clerk, being the Council’s designated election official for purposes of the election herein called, has concurred in the election date herein set forth for the election.
NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto, acting as the legislative body of the City of Modesto Community Facilities District No. 2007-1 (North Beyer Park #2), hereby finds and determines as follows:

1. The foregoing recitals are true and correct

2. All prior proceedings taken with respect to the annexation of the Annexed Territory to the District, and the levy of the District special taxes within the Annexed Territory were valid and in conformity with the requirements of the Act. This determination shall be final and conclusive upon all persons.

3. The proposed annexation of the Annexed Territory to the District and the levy of the District special taxes within the Annexed Territory have not been precluded by majority protest pursuant to Section 53339.5 of the Act.

4. As stated in the Resolution of Intention to Annex, it is the intention of this Council, subject to the approval of the qualified electors of the Annexed Territory, to annex the Annexed Territory to the District and levy the District special taxes within the Annexed Territory. Upon such approval the Council will be authorized to levy the District special taxes within the Annexed Territory.

5. A special election is hereby called at which the question of levying the District special taxes within the Annexed Territory shall be submitted to the qualified electors of the Annexed Territory. The election shall be held in accordance with and subject to the Act, all of the terms of which shall, unless waived as herein provided, be applicable to such election. The ballot measure shall be substantially in the form attached hereto as Exhibit A.
6. Fewer than 12 persons have been registered to vote within the Annexed Territory for each of the 90 days preceding the close of the hearing referenced herein. Accordingly, the vote shall be by the landowners of the Annexed Territory, and each such landowner shall have one vote for each acre or portion thereof that he or she owns within the Annexed Territory. The ballots shall be distributed by mail with return postage prepaid, or by personal service, to each landowner, all as provided in Section 53326 of the Act.

Since the City Clerk has received an appropriate waiver of time limits and other requirements pertaining to the conduct of the election by the owner of all of the land in the Annexed Territory (the "Landowner"), the election shall be held on the 11th day of July 2017. The election shall be conducted by the City Clerk in the manner required by this resolution, the Act and applicable laws.

The City Clerk shall accept the ballots of the qualified electors in the office of the City Clerk up to and including 5:30 p.m., Pacific Time, on July 11, 2017, whether said ballots shall be personally delivered or received by mail.

7. In accordance with Section 53327(b) of the Act, analysis and arguments, as required by Section 53327(a) of the Act are hereby waived, as the City Clerk has received the unanimous consent to such waivers from the Landowner.

8. The publication of this Resolution as notice of the special election is hereby waived as the City Clerk has received the unanimous consent to such waiver from the Landowner.

9. The Annexed Territory shall constitute a single election precinct for the purpose of holding the election.
10. The City Clerk is hereby authorized to take any and all steps necessary for the holding of the election, and to perform and render all services and proceedings incidental to and in connection with the election.

11. The City Clerk shall canvass the returns and certify the results of the election to this Council. If two-thirds or more of the votes cast are in favor of levying the District special taxes in the Annexed Territory, this Council may thereafter order the annexation of the Annexed Territory to the District and levy the District special taxes in the Annexed Territory in the amount and for the purposes specified in Resolution No. 2007-584 adopted by this Council on October 2, 2007 (the “Resolution of Formation”).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Madrigal, who moved its adoption, which motion being duly seconded by Councilmember Kenoyer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: 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
Exhibit A

OFFICIAL BALLOT

BALLOT NO. 1

CITY OF MODESTO
COMMUNITIES FACILITIES DISTRICT NO. 2007-1
(North Beyer Park #2)

ANNEXATION NO. 1

SPECIAL TAX ELECTION

July 11, 2017

NUMBER OF VOTES ENTITLED TO BE CAST: 5
(VOTER MAY REMOVE AND RETAIN THIS STUB)

INSTRUCTIONS TO VOTERS

To vote, make a mark (x) in the voting area to the right of the word “YES” or “NO.”

All distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly mark, tear or deface this ballot, telephone the Office of the City Clerk of the City of Modesto for instructions as soon as possible at (209) 577-5200, Monday through Friday, between the hours of 9:00 a.m. and noon.

MARK YOUR CHOICE IN THIS MANNER ONLY: ☒

MEASURE SUBMITTED TO VOTE OF VOTERS

**Proposition A.** Shall special taxes, with maximum rates, method of apportionment, and manner of collection as provided in Exhibit A to the City’s Resolution No. 2007-270 entitled “A Resolution of the City Council of the City of Modesto of Intention, to establish City of Modesto Community Facilities District No. 2007-1 (North Beyer Park #2) and authorize the levy of special taxes therein (North Beyer Park #2)” (the “Resolution of Formation”), adopted by the City Council on May 8, 2007, which is incorporated herein by this reference, be levied within the territory proposed to be annexed to City of Modesto Community Facilities District No. 2007-1 (North Beyer #2) pursuant to the City Resolution No. 2017-191, entitled “Resolution of Intention to Annex Territory to Community Facilities District No. 2007-1 (North Beyer #2), authorizing the levy of a Special Tax within the territory proposed to be annexed. (Annexation No. 1), and rescinding resolution 2016-345 (the “Resolution of Intention to Annex”) adopted by the City Council of the City of Modesto on May 23, 2017 for the purposes set for in the Resolution of Formation?

BALLOT NO. 1

THIS BALLOT HAS A VALUE OF 5 VOTES
RESOLUTION DECLARING THE RESULTS OF THE JULY 11, 2017 SPECIAL ELECTION AND ORDERING THE ANNEXATION OF THE ADDITIONAL TERRITORY TO CITY OF MODESTO COMMUNITY FACILITIES DISTRICT NO. 2007-1 (NORTH BEYER PARK #2)

WHEREAS, this Council is conducting proceedings pertaining to the annexation of certain territory to the City’s Community Facilities District No. 2007-1 (North Beyer Park #2) (the “District”) and the levy of the District special taxes (the “District Special Taxes”) within such territory, as described in its Resolution No. 2017-191 entitled “Resolution of Intention to Annex Territory to Community Facilities District No. 2007-1 (North Beyer #2), authorizing the levy of a Special Tax within the territory proposed to be annexed. (Annexation No. 1), and

WHEREAS, the owners of all the property within the territory proposed to be annexed to the District waived those provisions related to the timing and conduct of the election referenced in numbers 5, 6, 7 and 8 of this Council’s Resolution No. 2017-?, adopted on July 11, 2017, and, as a result, this Council called an election within the territory proposed to be annexed to the District (the “Election”) for July 11, 2017, or as soon thereafter as practicable, relative to the foregoing, and

WHEREAS, on July 11, 2017, the Election was held, and

WHEREAS, the City Clerk has certified that at the Election the proposition of levying the District Special Taxes within the territory proposed to be annexed to the District was approved by more than two-thirds (2/3) of the votes cast at the Election.

NOW, THEREFORE, BE IT RESOLVED, ORDERED AND FOUND by the City Council of the City of Modesto that:
1. The Election was duly and validly conducted in conformity with all applicable laws pertaining thereto. It is hereby determined that the owner or owners of the territory proposed to be annexed are as set forth in the Certificate of City Clerk as to Distribution of Official Ballots, submitted to this Council and on file with the City Clerk.

2. The ballot proposition presented to the qualified electors of the territory proposed to be annexed at the Election received at least two-thirds (2/3) of the votes cast at the Election. A copy of the City Clerk’s certificate of election results is attached hereto.

3. Pursuant to Section 53339.8 of the Act, it is hereby ordered that the territory proposed to be annexed to the District pursuant to Resolution No. 2017-191 be annexed to and be a part of the District with full legal effect, and that the District Special Taxes be levied within the territory.

4. The City Clerk is hereby directed to enter this resolution on the minutes of this City Council, which shall constitute the official declaration of the result of the Election.

5. The City Clerk is further authorized and directed to record an amendment to the Notice of Special Tax Lien with the County Recorder of the County of Stanislaus, within 15 days from the date hereof, in accordance with the provisions of 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 11th day of July, 2017, by Councilmember Madrigal, who moved its adoption, which motion being duly seconded by Councilmember Kenoyer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: 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
CERTIFICATE OF CITY CLERK

I, STEPHANIE LOPEZ, City Clerk of the City of Modesto, hereby certify that, pursuant to Resolution No. 2017-____, A Resolution of the City Council of the City of Modesto Calling an Election for the Purpose of Submitting the Levy of the City of Modesto Community Facilities District No. 2007-1 (North Beyer Park #2) Special Taxes to the Qualified Electors of the Territory Proposed to be Annexed to the District (Annexation No. 1) adopted on May 23, 2017, by the City Council of the City of Modesto, I did conduct the Special Tax Election on July 11, 2017, and that the election was conducted by mail or in person at the City Hall of the City 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 special taxes, with maximum rates, method of apportionment, and manner of collection as provided in Exhibit A to the City's Resolution No. 2007-270 entitled "A Resolution of the City Council of the City of Modesto of Intention, to establish City of Modesto Community Facilities District No. 2007-1 (Norther Beyer Park #2) and authorize the levy of special taxes therein (North Beyer Park #2)" (the "Resolution of Formation"), adopted by the City Council on May 8, 2007, which is incorporated herein by this reference, be levied within the territory proposed to be annexed to City of Modesto Community Facilities District No. 2007-1 (North Beyer #2) pursuant to the City Resolution No. 2017-191, entitled "Resolution of Intention to Annex Territory to Community Facilities District No. 2007-1 (North Beyer #2), authorizing the levy of a Special Tax within the territory proposed to be annexed. (Annexation No. 1), and rescinding resolution 2016-345 (the "Resolution of Intention to Annex") adopted by the City Council of the City of Modesto on May 23, 2017 for the purposes set for in the Resolution of Formation? 

| TOTAL VOTES CAST: | YES ___ | NO ___ |

Stephanie Lopez  
City Clerk of the City of Modesto

Dated: __________, 2017

Exhibit A to 592015.doc
RESOLUTION APPROVING A DEBIT AND CREDIT CARD SERVICE FEE OF 2.4% FOR ALL DEBIT AND CREDIT CARD TRANSACTIONS, EXCLUDING UTILITY SERVICES, PARKING GARAGE FEES, AND TRANSIT FARE MEDIA TO BE EFFECTIVE SEPTEMBER 1, 2017

WHEREAS, the City has been working closely with Elavon to identify the best solution on implementing a service fee for the eligible transaction which will not be including utility services, parking garage fees, and transit fare media. The merchant provider directs the City on what options are available to recover these fees imposed by the debit and credit card companies regulations, and

WHEREAS, the credit card merchants offer “government and higher education payment programs” which enable the City of Modesto to accept credit cards in all payment channels and assess a service fee as a separate transaction, so that the City may recoup its costs in processing debit and credit card transactions, and

WHEREAS, the service fee charged must be a fixed percentage of the transaction amount and must be applied consistently at the same fixed percentage across all transactions, regardless of amount, and

WHEREAS, the types of payments accepted at the City include in person, online and via telephone which have specific governmental merchant category codes that qualify them as eligible governmental transactions for which a service fee may be imposed, and

WHEREAS, debit and credit card service fees will not be proposed for the utility services, parking garages, and for transit fare media transactions at this time. The utility billing services have a specific merchant code which cannot be imposed a fixed
percentage amount but will require a fee that must be a fixed amount convenience fee which will be determined at a later date, and

WHEREAS, the City provided notice of a public hearing on this item to ensure that all interested parties have an opportunity to comment; and

WHEREAS, California Government Code Section 6606a, et seq. requires that before approving certain new or increased fees, a city must comply with the following:

1. Publication of the public hearing shall be posted 10 days in a newspaper regularly published once a week or more frequently;

2. Two publications, with at least five dates between the dates of the first and last publication must occur; and.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a Debit and Credit Card Service Fee of 2.4% for all debit and credit card transactions, excluding utility services, parking garage fees, and transit fare media.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Grewal, who moved its adoption, which motion being duly seconded by Councilmember Ah You, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: Zoslocki

ABSENT: Councilmembers: None

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION DESIGNATING THE STANISLAUS COMMUNITY SYSTEM OF CARE COLLABORATIVE/CONTINUUM OF CARE AS THE PLANNING AND COORDINATING BODY TO ADDRESS HOMELESSNESS IN STANISLAUS COUNTY

WHEREAS, in 1988, the Stanislaus County Housing and Support Services Collaborative/Continuum of Care was formed (SHSSC) to serve as an integrated system of care that guides and tracks homeless individuals & families through a comprehensive array of housing & services designed to prevent and end homelessness, and

WHEREAS, since inception, this volunteer body has secured millions in grants from the U.S. Department of Housing & Urban Development to combat the impact of homelessness in our community, and

WHEREAS, in 2001, both the City and County of Stanislaus adopted resolutions recognizing the formation of the SHSSC and designated it as the planning and coordinating body for homeless programs and services in Stanislaus County, and

WHEREAS, since the formation of SHSSC, the Housing Authority of the County of Stanislaus (Housing Authority) has graciously served as the Lead Agency and Homeless Management Information System (HMIS) Administrator for the SHSSC, and

WHEREAS, as the Lead Agency, it coordinated and packaged the annual submission of grant applications to the U.S. Department of Housing and Urban Development (HUD), spearheaded the annual Point-In-Time Count effort, and

WHEREAS, as the HMIS Administrator it oversaw the Homeless Management Information System for SHSSC, and
WHEREAS, over time, the complexity and effort demanded of the SHSSC has eclipsed the capacity of a volunteer group to accomplish all of the compliance, reporting, monitoring, and grant application requirements, and

WHEREAS, in 2015, when Stanislaus County initiated Focus on Prevention, a Homelessness Action Council was established to address the first initiative: Reduce and Prevent Homelessness, and

WHEREAS, in 2016, the Housing Authority initiated discussions with the County, City of Modesto and City of Turlock to transfer the Collaborative Applicant and HMIS Administrator duties to one of the three agencies, and

WHEREAS, in 2017, the SHSCC and the Homeless Action Council merged efforts and became known as the Stanislaus Community System of Care (StanCSOC),

WHEREAS, the StanCSOC will be led by a 25 member Council and will replace SHSSC as the integrated system of care that guides and tracks homeless individuals & families through a comprehensive array of housing & services designed to prevent and end homelessness, and

WHEREAS, in the spirit of collaboration and due to the technical expertise it has on staff, the City of Modesto has agreed to act as the Collaborative Applicant for the StanCSOC, and

WHEREAS, existing City and County employees will act as staff to the StanCSOC.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto hereby designates the Stanislaus Community System of Care Collaborative/Continuum of
Car as the planning and coordinating body to address homeless in Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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 AUTHORIZING THE CITY OF MODESTO TO SERVE AS THE COLLABORATIVE APPLICANT AND HOMELESS MANAGEMENT INFORMATION SYSTEM ADMINISTRATOR FOR STANISLAUS COMMUNITY SYSTEM OF CARE COLLABORATIVE/CONTINUUM OF CARE

WHEREAS, in 1988, the Stanislaus County Housing and Support Services Collaborative/Continuum of Care was formed (SHSSC) to serve as an integrated system of care that guides and tracks homeless individuals & families through a comprehensive array of housing & services designed to prevent and end homelessness, and

WHEREAS, since inception, this volunteer body has secured millions in grants from the U.S. Department of Housing & Urban Development to combat the impact of homelessness in our community, and

WHEREAS, in 2001, both the City and County of Stanislaus adopted resolutions recognizing the formation of the SHSSC and designated it as the planning and coordinating body for homeless programs and services in Stanislaus County, and

WHEREAS, in 2015, when Stanislaus County initiated Focus on Prevention, a Homelessness Action Council was established to address the first initiative: Reduce and Prevent Homelessness, and

WHEREAS, in 2017, the SHSCC and the Homeless Action Council merged efforts and became known as the Stanislaus Community System of Care (StanCSOC), and

WHEREAS, the StanCSOC will be led by a 25 member Council and will replace SHSSC as the integrated system of care that guides and tracks homeless individuals &
families through a comprehensive array of housing & services designed to prevent and end homelessness, and

WHEREAS, in the spirit of collaboration and due to the technical expertise it has on staff, the City of Modesto has agreed to act as the Collaborative Applicant for the StanCSOC.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the City of Modesto to serve as the Collaborative Applicant and the Homeless Management Information System Administrator for the Stanislaus Community System of Care Collaborative/Continuum of Care for Fiscal Year 2017-18 and each and every year thereafter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION AMENDING THE CLASSIFICATION PLAN FOR THE CITY OF MODESTO TO CREATE THE CLASSIFICATION OF HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS) TECHNICIAN AND HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS) PROGRAM COORDINATOR

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 Director of Community and Economic Development has requested 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:

1. CLASSIFICATION PLAN AMENDED. The Position Classification Plan of the City of Modesto is hereby amended to create the classification of Homeless Management Information System (HMIS) Technician to salary range 422 and Homeless Management Information System (HMIS) Program Coordinator to salary range 426.

2. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.
The foregoing resolution was introduced in a regular meeting of the Council of the City of Modesto held on the 11th day of July, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, 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