RESOLUTION APPROVING THE APPOINTMENT OF PATRICK CAVANAH TO THE CITY OF MODESTO CULTURE COMMISSION AS A VOTER RESIDING IN THE CITY OF MODESTO, WITH A TERM EXPIRATION OF APRIL 24, 2022

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

WHEREAS, the Appointments Committee met on March 22, 2018 and recommended appointment of Patrick Cavanah to the Modesto Culture Commission.

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

1. Patrick Cavanah is hereby appointed to the Modesto Culture Commission as a City of Modesto resident with a term expiration of April 24, 2022.

2. The City Clerk is hereby directed to transmit a copy of this resolution to the appointed member of the Modesto Culture 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 24th day of April, 2018, 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, Kenoyer, Madrigal, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: Grewal, Ridenour

ATTEST: [Signature]

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2018-154

RESOLUTION APPROVING A HOMEBUYER ASSISTANCE LOAN IN AN AMOUNT NOT TO EXCEED $60,000, INCLUDING GAP FINANCING AND RELATED CLOSING COSTS, FOR LORENZO VILLEGAS AND ANA VILLEGAS FOR THE PURCHASE OF PROPERTY LOCATED AT 2324 DORA STREET, MODESTO, CALIFORNIA, 95354, AND AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE, TO EXECUTE THE DOCUMENTS

WHEREAS, the City established the Down Payment Assistance Program in 1994 funded with Housing and Urban Development funds to assist low- and moderate-income households to enter into homeownership, and

WHEREAS, on January 24, 2017, by Resolution 2017-28, the Housing and Urban Development Policies and Procedures Manual was updated to increase the amount the borrower could request based upon Home Investment Partnership Program (HOME) funding guidelines, such as, area median income (AMI) limits, and minimum required contributions to closing costs, and

WHEREAS, the Homebuyer Assistance Program is designed to assist qualifying First Time Homebuyers whose income is 80% or below the Area Median Income, and

WHEREAS, eligible costs include up to $60,000 in gap financing, up to five percent (5%) of the purchase price may be used to pay non-recurring closing costs, and

WHEREAS, financial assistance is available in the form of low interest loans, secured by Deeds of Trust and recorded against the property for 30 years, and

WHEREAS, on December 7, 2017, Ana Villegas, the applicant, met with staff and submitted an application for the Homebuyers Assistance Program in the amount of $60,000, and
WHEREAS, Staff reviewed the application and conditionally approved the application based on the requirements listed in Housing and Urban Development Policies and Procedures Manual, and

WHEREAS, the approved homebuyer identified the property at 2324 Dora Street, Modesto, CA 95350 as a potential home purchase, and

WHEREAS, staff completed an assessment of the property including a Housing Quality Standards Inspection, and an Environmental Assessment, and

WHEREAS, the Homebuyer Assistance Program request of $60,000 for gap financing and closing costs for 2324 Dora Street was presented to the Housing Rehabilitation Loan Committee on March 22, 2018 and recommended for approval, and

WHEREAS, the loan will be secured on the property through a deed of trust and shall accrue interest at a rate of 3% simple interest for the first 20 years, and zero percent interest for the remaining 10 year terms, and

WHEREAS, the payment is deferred for 30 years, but voluntary payments are encouraged, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a Homebuyer Assistance Loan in an amount not to exceed $60,000, including gap financing and related closing costs, for Lorenzo Villegas and Ana Villegas for the purchase of property located at 2324 Dora Street, Modesto, California, 95354.

BE IT FURTHER RESOLVED that the Interim City Manager or his designee, is hereby authorized to execute the documents, 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 24th day of April, 2018, 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, Kenoyer, Madrigal, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: Grewal, Ridenour

ATTEST: [Signature]

STEFANIF LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION AMENDING THE FISCAL YEAR 2017-2018 ANNUAL OPERATING AND CAPITAL IMPROVEMENT PROJECT FUND BUDGETS

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 2017-18,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Fiscal Year 2017-18 Annual Operating and Capital Improvement budget as shown in Exhibit A, which is attached hereto and incorporated by reference herein.

BE IT FURTHER RESOLVED that the 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 24th day of April, 2018, 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, Kenoyer, Madrigal, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: Grewal, Ridenour

ATTEST: 

STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
EXHIBIT A
FISCAL YEAR 2017-18

POLICE DEPARTMENT
A budget adjustment is necessary to amend the Stanislaus Drug Enforcement Agency (SDEA) budget as approved in Fund 6600, JPA - SDEA Fund, by the SDEA board on 2/21/18 which included removing Modesto Police Department (MPD) Officers as of 12/26/17. SDEA’s Operation revenues are decreased by $398,857 and the expenses are decreased by $423,546. SDEA’s Grant revenue and expenses are decreased by $89,476. Also increasing General Fund for Salary and Benefits in MPD Investigative Services for 6 months of 1 Police Officer in the amount of $97,542 and MPD Field Operations for 6 months of 1 Police Lieutenant in the amount of $108,009.

UTILITIES
A budget adjustment in the amount of $1,512,000 is needed to establish a new Capital Improvement Project (CIP) and amend the FY17-18 CIP Budget in the Wastewater Fund, 4210, for Crows Landing Sewer Trunk (CIP# 101100). This project will replace the existing 30-inch diameter Crows Landing Sewer Trunk located east of the Tuolumne River and west of Crows Landing Road. Based on inspection, the trunk line shows excessive signs of corrosion and deterioration and need of immediate replacement.

A budget adjustment in the amount of $737,000 is needed to establish a new Capital Improvement Project (CIP) and amend the FY17-18 CIP Budget in the Wastewater Fund, 4210, for Stan-Food CSL Trunk Replacement (CIP# 101101). This project will replace the existing 24-inch diameter cannery segregation trunk line that serves Stanislaus Food as well as the Parshall Flume used for flow measuring. The trunk line is located on 12th Street and Morton Blvd. Based on inspection, the trunk line shows excessive signs of corrosion and deterioration. Design needs to be expedited to allow construction following cannery season.

A budget adjustment in the amount of $1,300,000 is needed to establish a new Capital Improvement Project (CIP) and amend the FY17-18 CIP Budget in the Wastewater Fund, 4210, for River Trunk Section Repair (CIP# 101103). This project will replace the existing 36-inch diameter section of the River Trunk that was installed as an emergency repair in 2017. Due to a collapse in the River Trunk, approximately 1100 feet of 36-inch diameter pipe was inserted into the existing 48-inch diameter pipe as a temporary repair to maintain service of the trunk line. The reduction in pipe size has created capacity limitations. This project will provide the permanent repair with appropriate diameter pipe.

A budget adjustment in the amount of $2,127,000 is needed to establish a new Capital Improvement Project (CIP) and amend the FY17-18 CIP Budget in the Wastewater Fund, 4210, for West Trunk Crossing HWY 132 (CIP# 101102). This project will replace the existing 54-inch diameter West Trunk crossing at the proposed Highway 132 West alignment as well as install a secondary parallel trunk line for redundancy and reliability.
RESOLUTION APPROVING A LEASE AGREEMENT WITH SUZANNE MCELROY FOR THE MODESTO POLICE DEPARTMENT PROPERTY AND EVIDENCE BUILDING LOCATED AT 1124 F STREET, MODESTO, CA FOR AN AMOUNT NOT TO EXCEED $3,300 MONTHLY, $39,600 ANNUALLY AND $198,000 OVER THE FIVE-YEAR TERM AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE LEASE AGREEMENT

WHEREAS, the City leases property at 1124 F Street for the Police Department’s Property and Evidence Building; and

WHEREAS, the current lease was a five year lease with Roger McElroy, for $3,300 monthly and expired on April 30, 2018; and

WHEREAS, Roger McElroy passed away on November 10, 2015, transferring ownership of the property to his surviving spouse, Suzanne McElroy; and

WHEREAS, the new lease agreement will be a five-year term, for an amount not to exceed $3,300 monthly, $39,600 annually.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto that it hereby approves the Lease Agreement with Suzanne McElroy for the Modesto Police Department Property and Evidence Building located at 1124 F Street, Modesto, CA, for an amount not to exceed $3,300 monthly, $39,600 annually, and $198,000 over the five-year term.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute the lease 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 24th day of April, 2018, 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, Kenoyer, Madrigal, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: Grewal, Ridenour

ATTEST: Stephe

(AL)  

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION DECLARING THE CITY-OWNED PARCEL LOCATED ON 119 G STREET IN EMPIRE (APN 133-016-007) AS SURPLUS PROPERTY

WHEREAS, the City of Modesto owns real property in Empire, and

WHEREAS, the property is located on 119 G Street, with an APN of 133-016-007, and

WHEREAS, the property contains an area of approximately 14,000 square feet, and

WHEREAS, this property was originally purchased in 1995 as part of the purchase of several properties from Del Este Water Co and was used as City Well Site 311, and

WHEREAS, the well is no longer in use and has been destroyed and the property has been cleared of all equipment and is now vacant, and

WHEREAS, there are no other current or future uses for this property by the City, and

WHEREAS, other public agencies were notified of leasing or purchasing the property as required by Government Code 54222 and no replies were received, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the real property located on 119 G Street (APN 133-016-007) be declared as surplus property.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 2018, 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, Kenoyer, Madrigal, Zoslocki, Mayor Brandvold

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Grewal, Ridenour

ATTEST: [Signature]

STEFANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT WITH MARK LITTLE AND JOAN LITTLE, HUSBAND AND WIFE, FOR SALE OF 14,000 SQUARE FEET OF SURPLUS REAL PROPERTY, LOCATED AT 119 G STREET, IN EMPIRE, (APN 133-016-007), AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT, THE GRANT DEED AND ALL RELATED DOCUMENTS REQUIRED TO CLOSE ESCROW

WHEREAS, the City of Modesto has a number of older well sites, and

WHEREAS, certain well sites eventually become unusable due to age and increased maintenance factors, and

WHEREAS, well 311 was purchased as an operational well from the Del Este Water Company in 1995, and

WHEREAS, well 311 reached its operational life in 2004 and was destroyed according to requirements of the Modesto Municipal Code and California Well Standards Bulletin 74-90 (Supplement to Bulletin 74-81), and

WHEREAS, the surplus parcel was listed for sale with the City's real estate broker and a buyer has agreed to purchase the property for $40,000 and has placed a purchase deposit, and

WHEREAS, an agreement is needed for the sale of the property to the buyer and City staff recommends approving the Purchase and Sale Agreement for sale of the property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a Purchase and Sale Agreement with Mark Little and Joan Little, for the sale of the property for $40,000, consisting of approximately 14,000 square feet, located at 119 G Street in Empire (APN 133-016-007).
BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute the Agreement, the Grant Deed, and all related documents required to close escrow.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 2018, 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, Kenoyer, Madrigal, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: Grewal, Ridenour

ATTEST: ________________________________
        STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ________________________________
    ADAM U. LINDGREN, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2018-159

RESOLUTION CONFIRMING DETACHMENT OF A NON-CONTIGUOUS CITY PROPERTY LOCATED AT 119 G STREET IN EMPIRE (APN 133-016-007), REVERTING THE PROPERTY BACK TO UNINCORPORATED STATUS WITHIN THE COUNTY OF STANISLAUS AND AUTHORIZING APPLICATION TO THE STANISLAUS LOCAL AGENCY FORMATION COMMISSION TO ANNEX THE TERRITORY BACK TO THE STANISLAUS CONSOLIDATED FIRE PROTECTION DISTRICT AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS REQUIRED FOR CITY DETACHMENT AND APPLICATION FOR ANNEXATION TO THE STANISLAUS CONSOLIDATED FIRE PROTECTION DISTRICT

WHEREAS, the City of Modesto owns real property on 119 G Street in Empire (APN 133-016-007), and

WHEREAS, this property was purchased by the City from the Del Este Water Company in 1995 for Well Site No. 311, and

WHEREAS, the property was approved for non-contiguous annexation into the City of Modesto’s boundaries by the Stanislaus Local Agency Formation Commission Resolution 2000-09, effective August 22, 2000, and included simultaneous detachment from the Stanislaus Consolidated Fire Protection District, and

WHEREAS, Well Site No. 311 was abandoned and destroyed in accordance with the Modesto Municipal Code and California Well Standards, and

WHEREAS, the property is now surplus and sold by the City, and

WHEREAS, Government Code Section 56742(g) requires the City of Modesto to adopt a resolution confirming the detachment of the non-contiguous property, and

WHEREAS, detachment of the property from the City also necessitates an application to annex the territory back to the jurisdiction of the Stanislaus Consolidated Fire Protection District, and
WHEREAS, pursuant to the Cortese-Knox-Hertzberg Local Government
Reorganization Act of 2000, commencing with Section 56000 of the Government Code,
the City of Modesto, as an affected agency, may initiate proceedings with the Stanislaus
Local Agency Formation Commission, for the annexation of the territory to the
Stanislaus Consolidated Fire Protection District, and

WHEREAS, the detachment of territory from the City and annexation to the
Stanislaus Consolidated Fire Protection District are considered exempt from the
California Environmental Quality Act under the General Rule, Section 15061(b)(3) as it
can be seen with certainty that there will not be a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto
that it hereby authorizes and confirms the detachment of the property from the City limits
upon sale of the property.

BE IT FUTHER RESOLVED by authorizing the Interim City Manager, or his
designee, to execute any and all necessary documents required for City detachment and
application for annexation to the Stanislaus Consolidated Fire Protection District.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 2018, 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, Kenoyer, Madrigal, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: Grewal, Ridenour

ATTEST: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2018-160

RESOLUTION REJECTING ALL BIDS FOR THE MODESTO POLICE DEPARTMENT'S HEATING, VENTING AND AIR CONDITIONING RENOVATION PROJECT FOR THE DEPARTMENT'S OPERATIONS BUILDING AND AUTHORIZING STAFF TO RE-ADVERTISE THE PROJECT AT A FUTURE DATE WITH AN AMENDED SCOPE OF WORK

WHEREAS, the bids received for the Modesto Police Department Heating, Venting and Air Conditioning Renovation Project (Operations Building) were opened at 11:00 a.m. on April 3rd, 2018, and later tabulated by the Director of Utilities for the consideration of the Council, and

WHEREAS, the one bid was 67.29% above the engineer’s estimate, and was determined to be non-responsive due to a material irregularity, and

WHEREAS, the Utilities Department staff determined that it would be in the best interest of the City to reject all bids and re-advertise the project to clarify the scope of work and evaluate options to reduce construction costs, and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby rejects all bids received for the Modesto Police Department’s Heating, Venting and Air Conditioning Renovation Project for the Departments Operations Building

BE IT FURTHER RESOLVED that staff is hereby authorized to re-advertise the project 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 24th day of April, 2018, 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, Kenoyer, Madrigal, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: Grewal, Ridenour

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING ADDITIONAL ONE-TIME SOFTWARE IMPLEMENTATION COSTS ASSOCIATED WITH THE COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEMS FROM LUCITY, INC., OVERLAND PARK, KS, FOR $4,500, AND ESRI GIS FROM ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC., REDLANDS, CA, FOR $17,200, AND AUTHORIZING THE PURCHASING MANAGER, OR HER DESIGNEE, TO EXECUTE A PURCHASE AGREEMENT

WHEREAS, on January 12, 2016, by Resolution No. 2016-08, Council approved an agreement with Lucity Inc., Overland Park, KS (Lucity), for the purchase and implementation of a Computerized Maintenance Management System (CMMS) for Wastewater Collections to improve critical business processes using the most effective and efficient system to support utility operations, and

WHEREAS, in March 2017, the implementation of the Lucity CMMS was completed and included the use of Lucity Mobile which provides crews within Wastewater Collections the ability to receive, create, and complete work orders in real time at the work location, and

WHEREAS, the Lucity CMMS is fully integrated with the City’s Graphical Information System (GIS), which enables crews to display work orders on a GIS map of the city and thus greatly increases work efficiencies, and

WHEREAS, by using the Lucity CMMS, Wastewater Collections can now effectively manage assets, respond to customer requests, conduct preventive maintenance, and manage work orders related to the sanitary sewer and storm drainage systems, and

WHEREAS, on March 13, 2018, by Resolution No. 2018-117, Council approved the procurement of a Utilities Department enterprise license and the implementation of
two Computerized Maintenance Management Systems for the Water Division and
Wastewater Environmental Compliance Section with Lucity, Inc., Overland Park, KS, for
an initial cost of $276,075, and a total cost not to exceed $439,100 over five years, and

WHEREAS, also by Resolution No. 2018-117, Council approved the procurement
of a department enterprise license for ESRI GIS from Environmental Systems Research
Institute, Inc., Redlands, CA, for an initial cost of $60,000, and a total cost not to exceed
$310,000, and

WHEREAS, since the Council’s approval of the enterprise licenses for Lucity and
ESRI GIS, IT staff discovered the software implementation costs were inadvertently left
off to install and configure a new ESRI department enterprise license as well as ensuring
the new Portal environment necessary for the mapping component for Lucity, and

WHEREAS, the cost for the ESRI department enterprise configuration is $17,200,
additionally, to ensure proper integration of the ESRI configuration, IT Staff is requesting
additional Lucity on-site support for $4,500, and

WHEREAS, total additional one-time costs will be $21,700, and

WHEREAS, the ESRI department enterprise licensing scheme is a completely
separate and brand new environment/format from our existing City of Modesto GIS, and

WHEREASE, IT Staff will need to have ESRI/Lucity staff onsite to make sure the
new environments are setup correctly and are able to communicate with each other as
well as the existing City of Modesto GIS; this will ensure a successful roll out of Lucity
application, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto
that it hereby approves the additional one-time software implementation costs associated
with the Computerized Maintenance Management Systems from Lucity, Inc., Overland Park, KS, for $4,500, and ESRI GIS from Environmental Systems Research Institute, Inc., Redlands, CA, for $17,200, and

BE IT FURTHER RESOLVED, that the Purchasing Manager, or her designee, is hereby authorized to execute a purchase agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 2018, 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, Kenoyer, Madrigal, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: Grewal, Ridenour

ATTEST: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney