RESOLUTION ACCEPTING THE RESIGNATION OF JOANNA ESPARZA FROM THE CITY OF MODESTO LANDMARK PRESERVATION COMMISSION

WHEREAS, Joanna Esparza was appointed to serve as a member of the Landmark Preservation Commission (LPC) on December 5, 2017, by City Council Resolution 2017-480, and

WHEREAS, Joanna Esparza tendered her resignation from the LPC on September 13, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts the resignation of Joanna Esparza from the LPC.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, by Councilmember Madrigal, 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, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: [Signature]

STEFANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION APPOINTING PATRICK CAVANAH TO THE LANDMARK PRESERVATION COMMISSION AS THE CULTURE COMMISSION REPRESENTATIVE WITH A TERM EXPIRATION OF JANUARY 1, 2022

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

WHEREAS, on September 5, 2016, the Culture Commission unanimously recommended Patrick Cavanah as its representative to the Landmark Preservation Commission, and

WHEREAS, Mr. Cavanah is qualified, willing and able to serve on the Landmark Preservation Commission.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby appoints Patrick Cavanah as the Culture Commission representative to the Landmark Preservation Commission with a term expiration of January 1, 2022.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit a copy of this resolution to the appointed member of the 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 9th day of October, 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, 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
MODESTO CITY COUNCIL
RESOLUTION NO. 2018-443

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS, ACCEPTING THE BID, AND AWARDING THE CONSTRUCTION CONTRACT TO ROSS F. CARROLL, INC. OF OAKDALE, CALIFORNIA IN THE AMOUNT OF $859,300 FOR THE RIGHT TURN LANE IMPROVEMENTS WESTBOUND D STREET TO NORTHBOUND 9 TH STREET PROJECT, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE THE CONTRACT

WHEREAS, in February 2012 the City applied for Congestion Mitigation and Air Quality (CMAQ) funds to provide a route for right turning motorists on westbound D Street to do so freely without blocking or being blocked by through motorists and to construct a bus turnout on northbound 9 th Street, north of the 9 th Street/D Street intersection, and

WHEREAS, on December 11, 2012, by Resolution No. 2012-509, City Council accepted CMAQ funds in the amount of $101,810 for Preliminary Engineering, and

WHEREAS, since the original acceptance of funds, the City Council has accepted additional CMAQ funds, Regional Surface Transportation Program (RSTP) funds, and Federal Transit Administration (FTA) funds as necessary to fully fund this project, and

WHEREAS, the City is ready to construct the Right Turn Lane Improvements Westbound D Street to Northbound 9 th Street project, and

WHEREAS, the project was advertised for bids on July 31, 2018, and

WHEREAS, bids were publicly opened on August 28, 2018 pursuant to Modesto Municipal Code Section 8-3.403 and Modesto Charter Section 1307 and five responsive bids were received, and

WHEREAS, Ross F. Carroll, Inc. of Oakdale, California, is the lowest responsive and responsible bidder, and
WHEREAS, the Director of Community and Economic Development has recommended that the bid of $859,300 received from Ross F. Carroll Inc. of Oakdale, California, be accepted as the lowest responsible and responsive bid and the contract be awarded to Ross F. Carroll, Inc.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the plans and specifications, accepts the bid, and awards the construction contract to Ross F. Carroll Inc. of Oakdale, California in the amount of $859,300 for the Right Turn Lane Improvements Westbound D Street to Northbound 9th Street project.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the contract, 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 9th day of October, 2018, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, 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
MODESTO CITY COUNCIL
RESOLUTION NO. 2018-444

RESOLUTION APPROVING A WILL SERVE LETTER AND OUTSIDE SERVICE AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. GURINDER SINGH SAHI, A SINGLE MAN, TO CONNECT TO THE CITY OF MODESTO'S EXISTING SEWER SYSTEM FOR THE PROPERTY LOCATED AT 1609 SHADDOX AVENUE (APN: 081-028-019), AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN THE WILL SERVE LETTER AND EXECUTE THE OUTSIDE SERVICE AGREEMENT

WHEREAS, Gurinder Singh Sahi, a single man, owns property located at 1609 Shaddox Avenue, which is located outside of Modesto City Limits and inside the City’s Sphere of Influence, and

WHEREAS, the property located at 1609 Shaddox Avenue, is not connected to City’s sewer system and is requesting a sewer connection due to a failing septic system, and

WHEREAS, on November 25, 2014, City Council approved Resolution No. 2014-473 amending City Council Policy 5.002, and

WHEREAS, on December 9, 2014, City Council approved adoption of Ordinance No.3612-C.S. amending City of Modesto Municipal Code Section 11-1.05, and

WHEREAS both of these amendments included language allowing the City Manager, upon the recommendation of the Director responsible for utility system planning to approve standard agreements of service for extension of sewer services into certain unincorporated areas without City Council approval, and

WHEREAS, the property located at 1609 Shaddox Avenue is not located within one of those designated areas and therefore requires City Council approval prior to allowing the sewer connection, and
WHEREAS, City staff has completed an analysis and determined that it is reasonable for the City of Modesto to provide sewer service to this property, and

WHEREAS, pending approval and consistent with adopted LAFCO Policy 15, the extension of sewer service is proposed to remedy a health and safety concern in an area with failing septic system, and

WHEREAS, the sewer connection fees shall be paid and associated permits will be obtained prior to connecting to the City sewer system, and

WHEREAS, the property owner has executed an Outside Service Agreement for sewer service with the City as required, to receive sewer service outside the City limits.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Will Serve Letter and Outside Service Agreement for sewer service for the property located at 1609 Shaddox Avenue (APN: 081-028-019) in Modesto.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to approve the Will Serve letter and execute the Outside Service Agreement for sewer service.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

SEAL

APPROVED AS TO FORM:

By: 

ADAM U. LINDGREN, City Attorney
RESOLUTION AMENDING SECTION 4 AND 15 OF THE HOUSING AND URBAN DEVELOPMENT POLICIES & PROCEDURES MANUAL

WHEREAS, in October 2016, by Resolution No. 2016-425, Council adopted a Housing and Urban Development Policies & Procedures Manual (HUD Manual), and

WHEREAS, in order to align with current program guidelines and replace older program policies, Section 4 (HOME Investment Partnerships Program), and Section 15 (Water and Sewer Infrastructure Connection Program) needs to be updated, and

WHEREAS, Section 8.3 of the HOME Investment Partnerships Program will provide a thoroughly detailed project description in the Integrated Disbursement and Information System (IDIS), and

WHEREAS, Section 14 of the HOME Investment Partnerships Program will update the way the HUD award is maintained in the City’s financial software using text descriptions and multiple activity/task numbers to differentiate multiple grant year funding by Catalog of Federal Domestic Assistance (CFDA) title number, HUD award identification number and year, and HUD’s agency name in accordance with 2 CFR 200.302(b)(1), and

WHEREAS, the Water and Sewer Infrastructure Connection Program policies and procedures are being updated to update credit report requirements, homeowner eligibility requirements, bid solicitation, procurement to align with City standards, emergency repairs procedure, contractor eligibility, independent cost estimates to ensure cost reasonableness, and progress inspections before any invoices are paid, and
WHEREAS, on September 13, 2018, the Citizen’s Housing and Community Development Committee reviewed, approved and forwarded the revised Section 4 – HOME Investment Partnerships Program and Section 15 – Water and Sewer Infrastructure Connection Program Policies and Procedures to the City Council for review and approval.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby amends Section 4 and 15 of the Housing and Urban Development Policies & Procedures Manual.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, 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
MODESTO CITY COUNCIL
RESOLUTION NO. 2018-446

RESOLUTION APPROVING THE PAYMENT OF $100,000 TO THE MODESTO IRRIGATION DISTRICT (MID) FOR THE PURPOSE OF DESIGNING AND PROCURING THE STEEL UTILITY POLES REQUIRED FOR THE STATE ROUTE 132 WEST FREEWAY/EXPRESSWAY PHASE 1 PROJECT

WHEREAS, the State Route 132 West Freeway/Expressway – Phase 1 Project (Project) proposes to construct a two-lane highway on a new alignment in Stanislaus County and the City of Modesto from State Route 99 just south of Kansas Avenue to Dakota Avenue, and

WHEREAS, relocation of the Modesto Irrigation District (MID) power facilities is required to meet Caltrans standards, and

WHEREAS, the City’s obligation to MID for all of the various relocation services to support the Project is estimated at $1.3M, and MID has stated that they will design and procure the required steel poles upon receipt of $100,000 deposit, and

WHEREAS, steel poles are required to relocate MID overhead facilities, and the fabrication time required to procure these materials is estimated at 20 weeks with completion of the work estimated at 25 weeks, and

WHEREAS, on October 10, 2017, by Resolution 2017-403, Council approved a Measure L Cooperative Agreement with StanCOG (StanCOG Cooperative Agreement) for the Plans, Specifications and Estimates Stage of Phase 1 of the State Route 132 Project, through which StanCOG has agreed to reimburse the City up to $10 million for costs relating to the PS&E Phase of the Project, and
WHEREAS, included in the $10 million StanCOG Cooperative Agreement is $1,750,000 for utility relocation and the City of Modesto will be seeking reimbursement from StanCOG for the $100,000 deposit required by MID.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the payment of $100,000 to the Modesto Irrigation District for the purpose of designing and procuring the steel utility poles required for the State Route 132 West Freeway/Expressway Phase 1 Project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, 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

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 and Fiscal Year 2018-19.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Fiscal Year 2017-18 and Fiscal Year 2018-19 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 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 9th day of October, 2018, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, 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]

STEFHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
EXHIBIT A

FISCAL YEAR 2017-18

UTILITIES

A budget adjustment is necessary to increase the transfer from the Water Fund (4100) to the Water CIP fund (4180) by the amount of $1,736,055 to cover FY17-18 Capital Improvement Plan (CIP) expense.

FISCAL YEAR 2018-19

COMMUNITY & ECONOMIC DEVELOPMENT

A budget adjustment is necessary to establish two new multi-year Non-Capital Projects and their revenue and expense budgets related to the Cannabis Application Fee deposits. On December 12, 2017, City Council approved Resolution 2017-526 to adopt application and permit fees for commercial cannabis permits related to cannabis business. The fees created by this action were to be used to pay for staff time, professional services, legal fees, and other business expenses related to the development of each application and its related permit procedures. This adjustment will create the Phase 2 Non-Dispensary Applications Project (101114) and the Phase 2 Dispensary Applications Project (101115). The Non-Dispensary Project (101114) will have an overall revenue and expense budget of $30,000 split amongst 2 sub-tasks; one for each application. The Dispensary Project (101115) will have an overall revenue and expense budget of $400,000 split amongst 20 sub-tasks; one for each application. Both projects will reside in Fund 1800 (Economic Development/Strategic Plan Fund).

INFORMATION TECHNOLOGY

A budget adjustment is necessary to establish a transfer from the IT Education and Government Cable Fund (1320) to the IT Fund (5230) in the amount of $138,681 to fund the Master Control Facility Project (101099) that was created in the prior fiscal year. The Master Control project was approved by Council on April 3, 2018 via Resolution 2018-136. The funding for the IT Education and Government Cable Fund is split 50/50 between the City of Modesto and Stanislaus County, which both benefit from this project.

PUBLIC WORKS

A budget adjustment is necessary to move $429,593 in cash and fair market value from Fund 1510 – LTF – Streets and Roads Fund to Fund 1720 – Streets LTF Fund as Fund 1510 will no longer be used for FY 2018-2019. The available funds will be used for Surface Transportation operations and grant matches for future Streets and Roads projects.

A budget adjustment is necessary to recognize additional Federal Aviation Administration (FAA) revenue for Project #100858 – Various Airport capital improvement projects in the amount of $47,602. The FAA has authorized the additional funds to be used for reimbursement of attorney fees related to the obstruction removal (tree topping) task within the project. The additional funding does require an increase in the City’s local match by $4,904. The additional local match
funds will come from a transfer from the County Aircraft Tax Fund – 4330 to the project. The total increase for the projects revenue and expense budget will be $52,506.

A budget adjustment is necessary to revise the FY19 direct charge agreements to reflect both the removal of an incorrectly budgeted Business Analyst position and the removal of Parks Department oversight due to re-organization. The Business Analyst position was budgeted throughout the divisions with a total budget impact of $83,720. As this position was not approved as part of budget adoption, the costs are being removed from each division reducing the contribution to Public Works Administration. Additionally, the Parks Department originally contributed $67,718 towards Public Works Administration and the Business Analyst position and with the re-organization their contribution is being redistributed to the other cost centers within Public Works.

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<th>Fund</th>
<th>Fund Name</th>
<th>Net Impact</th>
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<td>4000</td>
<td>Parking Fund</td>
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<td>4310</td>
<td>Airport Operating Fund</td>
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<td>Storm Drainage Fund</td>
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<td>4540</td>
<td>Bus Fixed Route Max Operations Fund</td>
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<td>4890</td>
<td>Compost Fund</td>
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<td><strong>$28,960</strong></td>
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*Please note that the Net Impact column shown above represents the net change to the referenced fund as a result of the removal of the incorrectly budgeted Business Analyst position as well as the movement of Parks Operations from Public Works to Parks, Recreation and Neighborhoods as part of the reorganization that took place in FY 18-19.
RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENTS
WITH RALPH ANDERSEN & ASSOCIATES, ROCKLIN, CA; CPS HR
CONSULTING, INC., SACRAMENTO, CA; NEHER AND ASSOCIATES, WEST
SACRAMENTO, CA; AND KOFF AND ASSOCIATES, BERKELEY, CA TO
CONDUCT CITYWIDE EXECUTIVE RECRUITMENT SERVICES ON AN AS
NEEDED BASIS, FOR A TWO YEAR AGREEMENT WITH THREE ONE-YEAR
EXTENSION OPTIONS AT THE SOLE DISCRETION OF THE CITY, IN A
COMBINED AMOUNT NOT TO EXCEED $300,000 OVER FIVE YEARS, AND
AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE
THE AGREEMENTS

WHEREAS, the City Manager authorized the Human Resources Department to
issue a Request for Qualification (RFQ) for the furnishing of executive and high level
management recruitment services, and

WHEREAS, Human Resources sent the RFQ for Executive Recruitment Services
to nine (9) prospective proposers, and

WHEREAS, following the request, four search firms presented proposals to
conduct these recruitments. All four (4) companies provided responsive and responsible
proposals, and

WHEREAS, due to the technical nature of professional services, both the
American Bar Association (ABA) Model Procurement Code and the Modesto Municipal
Code (MMC) purposely exempt these services from formal bid requirements under MMC
8-3.204(a). The MMC as it relates to the procurement of “professional services” is
modeled after the ABA. Therefore, these professional services are for professional
services ad defined in section 8-3.103 of the MMC, and

WHEREAS, the award of proposals for the furnishing of executive level
recruitment services for Citywide use to Ralph Andersen & Associates, Rocklin, CA;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves Professional Services Agreements with Ralph Andersen & Associates, Rocklin, CA; CPS HR Consulting, Inc., Sacramento, CA; Neher and Associates, West Sacramento, CA; and Koff and Associates, Berkeley, CA to conduct citywide executive recruitment services on an as needed basis, for a two year agreement with three one-year extension options at the sole discretion of the City, in a combined amount not to exceed $300,000 over five years.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the agreements, 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 9th day of October, 2018, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, 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
RESOLUTION AWARDING THE BID AND ISSUING A PURCHASE ORDER TO IRWIN SEATING COMPANY OF GRAND RAPIDS, MI FOR THE REPLACEMENT OF APPROXIMATELY 1,000 UPPER BOX SEATS AT JOHN THURMAN FIELD IN THE AMOUNT OF $179,638, WITH A 5% CONTINGENCY IN THE AMOUNT OF $8,982 AND AUTHORIZING THE PURCHASING MANAGER, OR HER DESIGNEE, TO ISSUE THE PURCHASE ORDER FOR A TOTAL AMOUNT NOT TO EXCEED $188,620 AS NECESSARY

WHEREAS, on December 13, 2016, by Resolutions 2016-503 and 504, Council approved an agreement with HWS Baseball, IV, LLC (the Nuts), for the use, operation and management of John Thurman Field, and

WHEREAS, the agreement establishing a fund for capital improvements to the stadium, and

WHEREAS, the Agreement authorizes the City Manager to approve or disapprove the list of priority capital improvement projects each calendar year, and

WHEREAS, on August 8, 2018, the Nuts General Manager provided the attached list of 2019 List of Priorities at John Thurman Field which identified the top priorities, and

WHEREAS, the City manager has reviewed and approved the list and informed the Nuts that the City will move forward with the replacement of approximately 1,000 upper box seats in the John Thurman Field Stadium, and

WHEREAS, while researching to prepare for the RFB, Purchasing staff discovered a Request for Proposal (RFP) by National Intergovernmental Purchasing Alliance (National IPA), and

WHEREAS, National IPA, on behalf of the Norfolk City Schools issued an RFP on January 31, 2014, to establish a national cooperative contract for maintenance,
repair, and operation supplies and related services, and

WHEREAS, notices of solicitation were sent to potential offerors, as well as advertised in 7 newspapers. On December 9, 2014 proposals were received from 13 offerors, and were evaluated by an evaluation committee, and

WHEREAS, using the evaluation criteria established in the RFP, the committee elected to enter into negotiations with Irwin Seating Company, and proceeded with a contract award upon successful completion of negotiations, and

WHEREAS, the Norfolk City Schools, National IPA, and Irwin Seating Company, successfully negotiated a contract and executed the agreement with an effective date of March 5, 2015 through March 4 2016, for an initial one-year term with 5 additional one-year options, 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, and

WHEREAS, exceptions to the formal bidding process are granted in MMC 8-3.204(d) “Where the Purchasing Manager, in his or her discretion, determines that a process other than the formal bid procedure set for in Section 8-3.203 will result in procurement for the City at the lowest possible cost commensurate with the desired quality,” and

WHEREAS, MMC 8-3.202(h) encourages to join with the State of California and other units of government in cooperative purchasing plans when the best interest of the City would be served, and

WHEREAS, this purchase qualifies for the exemption from the formal bidding
process for these reasons, and

WHEREAS, the City has received a project bid in the amount of $179,638 for the replacement of the Replacement of Approximately 1000 Upper Box Seats at the John Thurman Field Stadium, from Irwin Seating Company, and

WHEREAS, the contingency amount of 5%, in the amount of $8,982 is being included to cover various items such as implementation work, unforeseen delays, and expenses.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby awarding the bid and issuing a purchase order to Irwin Seating Company of Grand Rapids, MI for the replacement of approximately 1,000 Upper Box Seats at John Thurman Field in the amount of $179,638, with a 5% contingency in the amount of $8,982.

BE IT FURTHER RESOLVED that the Purchasing Manager, or her designee, is hereby authorized to issue the purchasing order.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, 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
2019 List of Priorities at John Thurman Field

1. Replacement of video board
   a. Estimated Cost: $500,000
   b. Reason: The current videoboard was purchased and installed prior to the 2007 season. With proper maintenance, video boards have a lifespan of 8-10 years. The maintenance of the scoreboard has not been kept up and we will complete our 11th season with the video board. While the board is still currently operational, the franchise and contractor believe we are on borrowed time. If the video board becomes non-operational, the lease states this will become a maintenance issue that the city is required to fix outside the capital improvement budget.

2. Replacement of approximately 1,000 Upper Box seats
   a. Estimated Cost: $140,000
   b. Reason: The Upper Box seats are the same seats that were installed in 1997. Typically, these seats have a lifespan of 10 years. We have just completed our 22nd season with the same seats. They are faded, loose and in constant need of repair.

3. Miscellaneous
   a. As we continue to find out what problem areas were deferred under City management, we will be forced to address these issues.

This list does not include the items in Exhibit B of the lease that were supposed to be completed prior to the end of the 2017 calendar year such as:

A) Replace the front gate
B) Awning on club office
C) Painting of stadium green steel
D) Security Cameras
E) Seal and Stripe parking lot
F) Paint fire plumbing
RESOLUTION AMENDING THE FISCAL YEAR 2018-2019 MULTI-YEAR OPERATING BUDGET TO ADJUST THE NON-CAPITAL PROJECT #101019 FOR JOHN THURMAN FIELD CAPITAL IMPROVEMENTS IN THE AMOUNT OF $120,000 IN BOTH REVENUE AND EXPENDITURE APPROPRIATIONS AND TO INCREASE THE TRANSFER FROM THE GENERAL FUND (0100) TO THE JOHN THURMAN CAPITAL IMPROVEMENTS FUND (3125) BY THE SAME AMOUNT AS OUTLINED IN ATTACHMENT A, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO IMPLEMENT THE PROVISIONS OF THIS RESOLUTION

WHEREAS, on December 13, 2016, by Resolutions 2016-503 and 504, Council approved an agreement with HWS Baseball, IV, LLC (the Nuts), for the use, operation and management of John Thurman Field, and

WHEREAS, the agreement establishing a fund for capital improvements to the stadium, and

WHEREAS, the Agreement authorizes the City Manager to approve or disapprove the list of priority capital improvement projects each calendar year, and

WHEREAS, on August 8, 2018, the Nuts General Manager provided the attached list of 2019 List of Priorities at John Thurman Field which identified the top priorities, and

WHEREAS, the City has identified and approved the replacement the John Thurman Field Video Board and of the stadium seats, and

WHEREAS, the agreement between the Nuts and the City has been amended to allow additional spending in the amount of $120,000 in the fiscal year 2018-19 rather than fiscal year 2025-26, and

WHEREAS, the Fiscal Year 2018-2019 Multi-Year Operating Budget needs to be adjusted in the non-capital project #101019 in the amount of $120,000 in both revenue...
and expenditure appropriation to be funded from Fiscal Year 2017-2018 General Fund Carryover via a transfer to the John Thurman Field Capital Improvement Fund to fund the approved improvements.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it approves amending the Fiscal Year 2018-2019 Multi-Year Operating Budget to adjust the non-capital project #101019 for John Thurman Field in the amount not to exceed $120,000 in both revenue and expenditure appropriations.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to budget revenues and expenditures as outlined in Attachment A to fund the John Thurman Field approved improvements.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, 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
Attachment A – Budget Adjustment for Non-Capital Project 101019

(John Thurman Field Capital Improvements)

Fund 3125 – John Thurman Capital Improvement Fund:

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2019 List of Priorities at John Thurman Field

1. Replacement of video board
   a. Estimated Cost: $500,000
   b. Reason: The current videoboard was purchased and installed prior to the 2007 season. With proper maintenance, video boards have a lifespan of 8-10 years. The maintenance of the scoreboard has not been kept up and we will complete our 11th season with the video board. While the board is still currently operational, the franchise and contractor believe we are on borrowed time. If the video board becomes non-operational, the lease states this will become a maintenance issue that the city is required to fix outside the capital improvement budget.

2. Replacement of approximately 1,000 Upper Box seats
   a. Estimated Cost: $140,000
   b. Reason: The Upper Box seats are the same seats that were installed in 1997. Typically, these seats have a lifespan of 10 years. We have just completed our 22nd season with the same seats. They are faded, loose and in constant need of repair.

3. Miscellaneous
   a. As we continue to find out what problem areas were deferred under City management, we will be forced to address these issues.

This list does not include the items in Exhibit B of the lease that were supposed to be completed prior to the end of the 2017 calendar year such as:

A) Replace the front gate
B) Awning on club office
C) Painting of stadium green steel
D) Security Cameras
E) Seal and Stripe parking lot
F) Paint fire plumbing
RESOLUTION APPROVING THE FIRST AMENDMENT TO THE AGREEMENT WITH HWS BASEBALL JV, LLC, AKA THE MODESTO NUTS BASEBALL CLUB, FOR THE USE, OPERATION AND MANAGEMENT OF JOHN THURMAN FIELD AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE AMENDMENT TO AGREEMENT

WHEREAS, on December 13, 2016, by Resolutions 2016-503 and 504, Council approved an agreement with HWS Baseball, IV, LLC (the Nuts), for the use, operation and management of John Thurman Field, and

WHEREAS, the agreement established a fund for capital improvements to the stadium, and

WHEREAS, the Agreement authorizes the City Manager to approve or disapprove the list of priority capital improvement projects each calendar year, and

WHEREAS, on August 8, 2018, the Nuts General Manager provided the attached list of 2019 List of Priorities at John Thurman Field which identified the top priorities, and

WHEREAS, the City has identified and approved the replacement the John Thurman Field Video Board and of the stadium seats, and

WHEREAS, the agreement between the Nuts and the City must be amended to allow a spending in the amount of $120,000 in the fiscal year 2018-19 rather than fiscal year 2025-26 as well as various minor changes.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it approves the First Amendment of the agreement with HWS Baseball JV, LLC, aka the Modesto Nuts Baseball Club, for the use, operation and management of John Thurman Field.
BE IT FURTHER RESOLVED, that the City Manager, or his designee, is hereby
authorized to execute the Amendment, 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 9th day of October, 2018, by Councilmember Kenoyer,
who moved its adoption, which motion being duly seconded by Councilmember Grewal,
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
2019 List of Priorities at John Thurman Field

1. Replacement of video board
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   b. Reason: The current videoboard was purchased and installed prior to the 2007 season. With proper maintenance, video boards have a lifespan of 8-10 years. The maintenance of the scoreboard has not been kept up and we will complete our 11th season with the video board. While the board is still currently operational, the franchise and contractor believe we are on borrowed time. If the video board becomes non-operational, the lease states this will become a maintenance issue that the city is required to fix outside the capital improvement budget.

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3. Miscellaneous
   a. As we continue to find out what problem areas were deferred under City management, we will be forced to address these issues.

This list does not include the items in Exhibit B of the lease that were supposed to be completed prior to the end of the 2017 calendar year such as:

A) Replace the front gate
B) Awning on club office
C) Painting of stadium green steel
D) Security Cameras
E) Seal and Stripe parking lot
F) Paint fire plumbing
RESOLUTION ADOPTING THE EAST STANISLAUS INTEGRATED REGIONAL WATER MANAGEMENT PLAN UPDATE

WHEREAS, the Integrated Regional Water Management (IRWM) Act was enacted by the California legislature in 2002 with the purpose to encourage local agencies to coordinate and collaboratively manage water resources to improve water quality, quantity and reliability, and

WHEREAS, in 2008, the IRWM Planning Act was approved which provided for the development of IRWM Plans, and

WHEREAS, these plans, subject to periodic updates, are required by the State for eligibility to compete for various water resources grants, and

WHEREAS, on August 9, 2011, by Resolution No. 2011-359, Council approved the Memorandum of Understanding (MOU) to form the East Stanislaus Integrated Regional Water Management Partnership, and

WHEREAS, on September 1, 2011, having satisfied the Department of Water Resources (DWR) IRWM Regional Acceptance Process Guidelines, the DWR granted regional status to the East Stanislaus IRWM, and

WHEREAS, on January 28, 2014, by Resolution No. 2014-37, Council adopted the 2013 East Stanislaus IRWM Plan, and

WHEREAS, by Resolution No. 2017-158, Council approved a consultant agreement with RMC Water and Environment, now a subsidiary of Woodard & Curran, to assist the East Stanislaus IRWM Partnership in updating the 2013 IRWM Plan, and

WHEREAS, in April 2017, the Final Draft IRWM Plan Update was submitted to the DWR for review, and
WHEREAS, on July 20, 2018, the DWR informed the City that the IRWM Plan Update was deemed complete and in conformance with the 2016 IRWM Guideline Standards.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the adoption of the East Stanislaus Integrated Regional Water Management Plan Update.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, 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
MODESTO CITY COUNCIL
RESOLUTION NO. 2018-453

RESOLUTION APPROVING AN AGREEMENT FOR PEA GRAVEL TO WEST COAST SAND AND GRAVEL, INC., MODESTO, CA, FOR A TWO-YEAR AGREEMENT WITH THREE ONE-YEAR EXTENSION OPTIONS, FOR AN ANNUAL COST NOT TO EXCEED $61,000 AND A TOTAL AMOUNT NOT TO EXCEED $305,000 OVER FIVE YEARS, AND AUTHORIZING THE PURCHASING MANAGER, OR HER DESIGNEE, TO ISSUE THE PURCHASING AGREEMENT

WHEREAS, the Utilities Department, Storm Water Collections maintains over 11,000 storm catch basins and over 9,700 rockwells, and

WHEREAS, over time, rockwells and the surrounding soil stop functioning properly and must be rejuvenated or renewed and in some cases, the location does not have an actual rockwell, but instead has what is referred to as a ‘backhoe well’, and

WHEREAS, when it is determined that the existing storm system must be replaced, staff has several options, and

WHEREAS, the preferred method of replacement for failed storm drains is with a ‘drywell’ system which consists of catch basins, a sedimentation chamber, and a perforated concrete manhole that is placed on top of a rock-filled square pit, called a drywell, and

WHEREAS, when staff replaces a rockwell with a horizontal drain assembly, the space around the outside of the perforated pipe systems is filled with rock, and

WHEREAS, pea gravel is preferred because it can be delivered in concrete trucks and more easily placed in tight areas; additionally, pea gravel freely flows to completely fill voids, and

WHEREAS, the City Manager authorized the Purchasing Division to issue a formal Request for Bids (RFB) for the purchase of Pea Gravel, and
WHEREAS, on April 26, 2018, the Purchasing Division issued RFB No. 1718-48, for the purchase of pea gravel; four companies chose to download the RFB, and

WHEREAS, on May 15, 2018, bids were formally opened in the City Clerk’s Office; two companies chose to respond, and

WHEREAS, one company was deemed non responsive due to not meeting insurance requirements, and

WHEREAS, both responders were local vendors capable of providing this type of service; West Coast Sand and Gravel has a local location at 4518 Oakdale Rd in Modesto, and

WHEREAS, based on providing lowest, responsive and responsible bids, staff recommends the award of bid for the purchase of pea gravel to West Coast Sand and Gravel, headquartered in Modesto, CA, for an estimated annual cost not to exceed $61,000 and up to $305,000 over five years, 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, and

WHEREAS, the award of a purchase agreement for Pea Gravel to West Coast Sand and Gravel, Modesto, CA, conforms to the Modesto Municipal Code, 8-3.203, as it is the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an agreement for pea gravel to West Coast Sand and Gravel, Inc., Modesto, CA, for a two-year agreement with three one-year extension options, for an
annual cost not to exceed $61,000 and a total amount not to exceed $305,000 over five years.

BE IT FURTHER RESOLVED the Purchasing Manager, or her designee, is hereby authorized to issue the purchasing agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, 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]

STEFANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]
ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING A PURCHASING AGREEMENT WITH SUBSITE, LLC, PETALUMA, CA, BY UTILIZING THE COMPETITIVE BID PROCESS WITH THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING PROGRAM (HGACBUY), FOR A CLOSED CIRCUIT TELEVISION (CCTV) EQUIPMENT RETROFIT, FOR A TOTAL COST NOT TO EXCEED $127,040 AND AUTHORIZING THE PURCHASING MANAGER, OR HER DESIGNEE, TO ISSUE THE PURCHASING AGREEMENT

WHEREAS, the Utilities Department, Wastewater Division, maintains approximately 655 miles of sanitary sewer pipelines ranging in sizes from 4” to 96”, and

WHEREAS, Wastewater Collections uses remotely operated CCTV systems to regularly inspect the wastewater pipelines, and

WHEREAS, CCTV inspection is used to determine the structural and maintenance condition of the pipelines and if the pipeline needs capital improvement, spot repairs, root control, FOG (Fats, Oils, and Grease) control, and/or increased cleaning frequency, and

WHEREAS, the current CCTV vehicle # 41032 is a 2010 Ford F350 with approximately 39,000 miles and a high-cube box, and

WHEREAS, due to the age and wear on this equipment, frequent repairs are needed and because the current CCTV equipment is no longer manufactured, repair parts are increasingly difficult to find, and

WHEREAS, the City’s sewer system contains a large range in pipe sizes, so a wide assortment of CCTV equipment is needed; for instance, a small transporter/crawler unit is needed when inspecting 4” and 6” pipelines; however, this same transporter/crawler unit is too small to inspect lines over 12”, and
WHEREAS, conversely, a transporter used for 12” lines is too big for 6” lines, but too small for large lines (those greater than 48”), and

WHEREAS, current CCTV equipment can only inspect line sizes 36” and smaller, neglecting the City’s critical sewer trunk infrastructure, and

WHEREAS, in FY 2017-18, Wastewater Collections budgeted $250,000 for an additional CCTV vehicle including CCTV equipment, and

WHEREAS, since then, staff has re-evaluated that the current CCTV equipment would not be serviceable for much longer, and

WHEREAS, because the current vehicle #41032 only has 39,000 miles and is in good condition, staff decided to replace the current CCTV equipment instead of adding a second vehicle, and

WHEREAS, the HGACBuy allows local governments and certain non-profits to purchase products and services included in HGACBuy contracts and are subject to either a Request for Competitive Bid or Request for Competitive Proposal, and

WHEREAS, on August 8, 2017, HGACBuy solicited for competitive bids for Sewer Cleaning, Hydro-Excavating, Inspection Equipment, and Miscellaneous Services, and bids were opened on September 5, 2017; HGACBuy received twenty five competitive bids and authorized contracts with the lowest responsible bidders for recommended product items, and

WHEREAS, on January 1, 2018, HGACBuy entered into a contract with Subsite, LLC, Petaluma, CA, for the purchase of Sewer Cleaning, Hydro-Excavating, Inspection Equipment, and Miscellaneous Services, and
WHEREAS, the contract has a two year term and is in effect until December 31, 2020, and

WHEREAS, Subsite, LLC, is extending the HGACBuy contract pricing to the City of Modesto, 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; however, exceptions to the formal bidding process are granted in MMC 8-3.204(d) “Where the Purchasing Manager, in his or her discretion, determines that a process other than the formal bid procedure set for in Section 8-3.203 will result in procurement for the City at the lowest possible cost commensurate with the desired quality,” and

WHEREAS, in addition, MMC 8-3.202(h) encourages joining with the State of California and other units of government in cooperative purchasing plans when the best interest of the City would be served; this purchase qualifies for the exemption from the formal bidding process for these reasons.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a purchasing agreement with Subsite, LLC, Petaluma, CA, by utilizing the competitive bid process with the Houston-Galveston Area Council Cooperative Purchasing Program, for a Closed Circuit Television equipment retrofit, for a total cost not to exceed $127,040.

BE IT FURTHER RESOLVED the Purchasing Manager, or her designee, is hereby authorized to issue purchasing agreements.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, 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 AMENDMENT NO. 1 TO THE CITY OF MODESTO PROGRAM YEAR 2018-2019 ANNUAL ACTION PLAN, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO TAKE THE NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS RESOLUTION

WHEREAS, as a U.S. Department of Housing and Urban Development (HUD) entitlement community, the City of Modesto is required to develop a Substantial Amendment to the Annual Action Plan when it makes changes to its planned or actual activities funded with Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) funds, and

WHEREAS, HUD requires the City of Modesto develop, in consultation with its citizens and community-based service providers, a funding strategy that furthers its housing and community development goals as described in the City’s Five-Year Consolidated Plan for FY 2015-2020, and

WHEREAS, citizen participation is a key component of the Substantial Amendment to the Annual Action Plan process, and

WHEREAS, HUD regulations require the City provide ample opportunity and means for the populations served by the grants, as well as the general citizenry, to provide input on the goals and priorities and the specific type of activities to be funded in the City’s Substantial Amendment to the Program Year 2018-2019 Annual Action Plan, and

WHEREAS, staff held four community meetings to assess local needs and priorities related to community services, economic development, community facilities and infrastructure, housing and fair housing, and
WHEREAS, the information obtained from the community meetings was used to prepare the Substantial Amendment to the Program Year 2018-2019 Annual Action Plan, and

WHEREAS, the 30-day public review period to review and comment on the draft documents opened on September 5, 2018 and will close the 30-day public comment period with a public hearing at the City Council meeting on October 9, 2018, and

WHEREAS, any comments received during the public review period or during the October 9, 2018, City Council meeting will be incorporated into the Substantial Amendment to the Program Year 2018-2019 Annual Action Plan that is submitted to HUD, and

WHEREAS, there is no impact to the General Fund and the Annual Action Plan Amendment No. 1 would reallocate existing funds and programming carryover funds identified with Program Year 2017 closeout to new projects in order to meet HUD’s timeliness deadline on April 30, 2019, and

WHEREAS, on September, 13, 2018, the City’s Citizens Housing and Community Development Committee recommended forwarding the Substantial Amendment Program Year 2018-2019 Annual Action Plan to the City Council for consideration and approval.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves Amendment No. 1 to the City of Modesto Program Year 2018-2019 Annual Action Plan.
BE IT FURTHER RESOLVED by the Council of the City of Modesto authorizes the City Manager or his designee, 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 9th day of October, 2018, 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

ATTEST: 

STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
## FISCAL YEAR 2018-2019 CDBG AND HOME PROJECT SUMMARY

### AMENDMENT #1

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### HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)

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MODESTO CITY COUNCIL
RESOLUTION NO. 2018-456

RESOLUTION AMENDING THE FISCAL YEAR 2018-19 OPERATING, CAPITAL AND MULTI-YEAR PROJECT BUDGETS TO RE-ALLOCATE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND HOME INVESTMENT PARTNERSHIP FUNDS AS PROPOSED IN THE PROGRAM YEAR 2018-2019 ANNUAL ACTION PLAN AMENDMENT AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO TAKE THE NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS RESOLUTION

WHEREAS, the City of Modesto receives annual entitlements from HUD based on its population size, number of households living below poverty level and number of sub-standard housing units, and

WHEREAS, on June 12, 2018, by Resolution 2018-239, Council approved the Program Year 2018 Annual Action Plan, and

WHEREAS, certain budgetary transactions are necessary to reallocate funds during the course of the Consolidated Plan cycle when there is a change in allocation priorities, or method of distribution, carrying out new activities with CPD funds, change in purpose, scope, location or beneficiaries of an activity, and

WHEREAS, the Fiscal year 2018-19 budget must be amended as shown in Exhibit A, which is incorporated by reference herein to reflect an approved reallocation of funds as set forth in the Integrated Disbursement and Information System (IDIS) reporting system.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Modesto that it hereby approves the amendment of the Fiscal year 2018-19 Budget as shown in Exhibit A attached hereto.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is
hereby authorized to implement the provision of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, 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

ATTEST: 

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
### Project 10143 - Affordable Housing Acquisition

**Project 10144 - Affordable Housing - Renovate Rehab**

**Project 10145 - Water/Sewer Connection Program**

<table>
<thead>
<tr>
<th>Project 10143 - Affordable Housing Acquisition</th>
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<tbody>
<tr>
<td><strong>Project 10144 - Affordable Housing - Renovate Rehab</strong></td>
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<tr>
<td><strong>Project 10145 - Water/Sewer Connection Program</strong></td>
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#### Funding by Program Area

<table>
<thead>
<tr>
<th>Program Area</th>
<th>Funding</th>
<th>Available</th>
<th>Budget Adjustment</th>
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<td>Direct</td>
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#### Budgets

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<th>Adjusted Budget</th>
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<tr>
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<tr>
<td>2019</td>
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<td>2020</td>
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#### Adjustments

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<tr>
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<tr>
<td>2019</td>
<td>$250,000</td>
</tr>
<tr>
<td>2020</td>
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</tr>
</tbody>
</table>

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**EXHIBIT A**
MODESTO CITY COUNCIL
RESOLUTION NO. 2018-457

RESOLUTION AWARDING $450,000 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG) TO THE HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS, FOR THE REHABILITATION OF 201 E. COOLIDGE AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE AGREEMENTS

WHEREAS, the City of Modesto receives Community Development Block Grant (CDBG), HOME Investment Partnerships Program and Emergency Solutions Grant funds from the U.S. Department of Housing and Urban Development each year, and

WHEREAS, these funds are allocated through an Annual Action Plan which is reviewed by the Citizens’ Housing and Community Development Committee and approved by the City Council, and

WHEREAS, on August 9, 2018, the Citizen’s Housing and Community Development Committee reviewed, approved and forwarded the project proposal and funding recommendation to the City Council for review and approval, and

WHEREAS, in February 2017, the HACS became aware of a water leak in one of the tenant units and upon inspection discovered extensive water damage and dry rot to the existing outer walls along the stairwell corridor and to the stairwell headers, and

WHEREAS, in April 2017, the City awarded the project $397,200 to address the needed repairs, but once work began the additional inspections revealed more extensive repairs would be required, and

WHEREAS, during the initial rehabilitation process HACS discovered extensive water damage and dry rot to the existing outer walls along the stairwell corridors and the stairwell headers, and
WHEREAS, the City of Modesto contribution of $450,000 will be leveraged with funding totaling $250,000 from Behavioral Health and Recovery Services, and

WHEREAS, the project would dedicate vouchers to persons who are homeless or at risk of homelessness.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the awarding $450,000 of Community Development Block Grant funds (CDBG) to the Housing Authority of Stanislaus for the rehabilitation of 201 E. Coolidge.

BE IT FURTHER RESOLVED by the Council of the City of Modesto authorizing the City manager of his designee to execute the agreements.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, 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

ATTEST: 

SEAL

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION AMENDING THE FISCAL YEAR 2018-19 MULTI-YEAR PROJECT BUDGET TO ESTABLISH A NON-CAPITAL PROJECT TO BE FUNDED IN THE AMOUNT OF $450,000 WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO HOUSING AUTHORITY OF STANISLAUS COUNTY (101146) AND UP TO 10% FOR ELIGIBLE ACTIVITY DELIVERY COSTS IN THE AMOUNT OF $45,000 FOR AN AFFORDABLE HOUSING PROJECT LOCATED AT 201 E. COOLIDGE AVENUE, MODESTO AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO TAKE THE NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS RESOLUTION

WHEREAS, the City of Modesto receives annual entitlements from HUD based on its population size, number of households living below poverty level and number of sub-standard housing units, and

WHEREAS, the fiscal year 2018-19 Multi-Year Budget must be amended as outlined in Exhibit A, which is incorporated by reference, as certain budgetary transactions are necessary in order to track funding of 201 E Coolidge Project (Project), and

WHEREAS, the Project will be funded with $450,000 in Community Development Block Funds to the Housing Authority of Stanislaus County and $45,000 for activity delivery costs.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Modesto that it hereby approves the amendment of the Fiscal year 2018-19 Multi-Year Budget as shown in Exhibit A attached hereto.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to implement the provision of this resolution.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, 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

ATTEST: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
EXHIBIT A

IDIS Activity #1315

FUND: 1130
COST CENTER: 14998
PROJECT #: 101146
PROJECT NAME: CED: AFFORDABLE HOUSING - 201 E COOLIDGE
TASK: 1315 APPR UNIT C
EXPENSE TYPE: DIRECT GRANT
$450,000

FUND: 1130
COST CENTER: 14998
PROJECT #: 101146
PROJECT NAME: CED: AFFORDABLE HOUSING - 201 E COOLIDGE
TASK: 1315 APPR UNIT C
EXPENSE TYPE: SERVICE CITY FORCES - INTERFUND
$45,000

REVENUE:

$495,000

1130-14015-42030-1315
MODESTO CITY COUNCIL
RESOLUTION NO. 2018-459

RESOLUTION AWARDING $440,000 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG) FOR THE MELLIS PARK FACILITIES IMPROVEMENTS, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL PROJECT RELATED DOCUMENTS AND AGREEMENTS

WHEREAS, the City of Modesto receives Community Development Block Grant (CDBG), HOME Investment Partnerships Program and Emergency Solutions Grant funds from the U.S. Department of Housing and Urban Development each year, and

WHEREAS, these funds are allocated through an Annual Action Plan which is reviewed by the Citizens’ Housing and Community Development Committee and approved by the City Council, and

WHEREAS, the Community and Economic Development Division is conducting a Substantial Amendment to its Program Year 2018-2019 Annual Action Plan to be submitted to the U.S. Department of Housing and Urban Development; and

WHEREAS, as part of the Program Year 2018-2019 Annual Action Plan Amendment #1, the Mellis Park Project has been included as a new activity; and

WHEREAS, on September 13, 2018, the Citizen’s Housing and Community Development Committee reviewed, approved and forwarded the Program Year 2018-2019 Annual Action Plan Amendment #1 and the Mellis Park project proposal and funding recommendation to the City Council for review and approval, and

WHEREAS, in September 2013, the Modesto Parks and Recreation department, in partnership with Disability Access Consultants, conducted an Accessibility Survey of Mellis Park, and
WHEREAS, the survey identified many issues in the park; including issues with
the shade structure, ADA related deficiencies throughout the park on concrete walkways,
and

WHEREAS, this project, will replace a 30-year wood shade structure, which is in
poor condition and becoming a safety hazard, with a metal structure; accompanied by
associated concrete and ADA accessibility pathways which need to be repaired
throughout the park.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto
that it hereby approves the awarding $440,000 in Community Development Block Grant
funds for Mellis Park Facilities Improvements.

BE IT FURTHER RESOLVED that the City Manager or his designee, is hereby
authorized to execute all project related documents and agreements.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, 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

ATTEST: [Signature]

SEAL

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION AMENDING THE FISCAL YEAR 2018-19 CAPITAL IMPROVEMENT PROJECT BUDGET TO ESTABLISH A CAPITAL PROJECT FOR MELLIS PARK FACILITIES IMPROVEMENTS (101147) IN THE AMOUNT OF $400,000 WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND UP TO 10% FOR ELIGIBLE ACTIVITY DELIVERY COSTS IN THE AMOUNT OF $40,000 AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO TAKE THE NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS RESOLUTION

WHEREAS, the City of Modesto receives annual entitlements from HUD based on its population size, number of households living below poverty level and number of sub-standard housing units, and

WHEREAS, the fiscal year 2018-19 Capital Improvement Project Budget must be amended as outlined in Exhibit A, which is incorporated by reference, as certain budgetary transactions are necessary in order to track funding of Mellis Park Facilities Improvements Project (Project), and

WHEREAS, the Project will be funded with $44,000 in Community Development Block Funds for shade structure repairs, ADA related deficiencies throughout the park and eligible activity delivery charges.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Modesto that it hereby approves the amendment of the Fiscal Year 2018-19 Capital Improvement Project Budget as shown in Exhibit A attached hereto.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to implement the provision of this resolution.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, 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

ATTEST: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINGREN, City Attorney
EXHIBIT A

IDIS Activity #1321

FUND: 3170  
COST CENTER: 14999  
PROJECT #: 101147  
PROJECT NAME: CED:  
TASK: CON  
EXPENSE TYPE: CONSTRUCTION  
$256,600

FUND: 3170  
COST CENTER: 14999  
PROJECT #: 101147  
PROJECT NAME: CED:  
TASK: CTGY - CONSTRUCTION CONTINGENCY  
EXPENSE TYPE: CONTINGENCY-CIP  
$86,948

FUND: 3170  
COST CENTER: 14999  
PROJECT #: 101147  
PROJECT NAME: CED:  
TASK: CA  
EXPENSE TYPE: CONSTRUCTION ADMIN  
$30,792

FUND: 3170  
COST CENTER: 14999  
PROJECT #: 101147  
PROJECT NAME: CED:  
TASK: EDA-CONTRACT ADMINISTRATION  
EXPENSE TYPE: EDA-CONTRACT ADMINISTRATION  
$25,660

FUND: 3170  
COST CENTER: 14999  
PROJECT #: 101147  
PROJECT NAME: CED:  
TASK: EDA-ADMINISTRATION (PAYROLL)  
EXPENSE TYPE: EDA-ADMINISTRATION  
$40,000

REVENUE:  
1130-14015-42030-00000-01321- $440,000

TRANSFER OUT:  
1130-71130-73170-PROJECT # - $440,000

TRANSFER IN:  
3170-399999-41130-PROJECT # - $440,000
RESOLUTION AWARDING $627,000 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG) FOR THE INSTALLATION OF FIRE HYDRANTS, AND AUTHORIZING THE CITY MANAGER OF HIS DESIGNEE TO EXECUTE ALL PROJECT RELATED DOCUMENTS AND AGREEMENTS

WHEREAS, the City of Modesto receives Community Development Block Grant (CDBG), HOME Investment Partnerships Program and Emergency Solutions Grant funds from the U.S. Department of Housing and Urban Development each year, and

WHEREAS, these funds are allocated through an Annual Action Plan which is reviewed by the Citizens’ Housing and Community Development Committee and approved by the City Council, and

WHEREAS, the Community and Economic Development Division is conducting a Substantial Amendment to its Program Year 2018-2019 Annual Action Plan to be submitted to the U.S. Department of Housing and Urban Development; and

WHEREAS, as part of the Program Year 2018-2019 Annual Action Plan Amendment #1, the La Loma Neighborhood Fire Hydrants Project (La Loma Phase 2B Fire Hydrant Install) has been included as a new activity; and

WHEREAS, on September 13, 2018, the Citizen’s Housing and Community Development Committee reviewed, approved and forwarded the Program Year 2018-2019 Annual Action Plan Amendment #1 and the La Loma Neighborhood Fire Hydrants project proposal and funding recommendation to the City Council for review and approval, and
WHEREAS, existing water mains within the project area have been recently upsized as part of the La Loma Phase 2B Strengthen & Replace Water Mains Project to meet current City of Modesto Standards within the project area, and

WHEREAS, the new water mains were installed within alleys and some fire hydrants were installed as part of the project, but due to the width of the alleys, some fire hydrants could not be installed in the alley, and

WHEREAS, the La Loma Phase 2B Fire Hydrant Installation Project will install approximately 17 fire hydrants in the La Loma Neighborhood to meet current City Standard spacing requirements, and

WHEREAS, the installation of the hydrants will assist in providing reliability, flow, pressure and the added safety for the La Loma Neighborhood, and

WHEREAS, this project is bounded by Yosemite Avenue to the south, San Juan Drive to the west, Encina Avenue to the north, and El Vista Avenue to the east, and

WHEREAS, this project complies with CDBG program rules as it is located within a low income Census Tract Block Group as defined by the U.S Census Bureau and HUD.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves awarding $627,000 of Community Development Block Grant funds (CDBG) for the installation of fire hydrants.

BE IT FURTHER RESOLVED that the Council of the City of Modesto authorizes the City Manager of his designee to execute all project related documents and agreements.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, 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

ATTEST: [Signature]

(Seal)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION AMENDING THE FISCAL YEAR 2018-19 CAPITAL IMPROVEMENT PROJECT BUDGET TO ESTABLISH A CAPITAL PROJECT FOR INSTALLATION OF FIRE HYDRANTS PROJECT IN THE AMOUNT OF $570,000 (101148) AND ELIGIBLE ACTIVITY DELIVERY COSTS IN THE AMOUNT OF $57,000, WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO TAKE THE NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS RESOLUTION

WHEREAS, the City of Modesto receives annual entitlements from HUD based on its population size, number of households living below poverty level and number of sub-standard housing units, and

WHEREAS, the fiscal year 2018-19 Capital Improvement Project Budget must be amended as outlined in Exhibit A, which is incorporated by reference, as certain budgetary transactions are necessary in order to track funding of Public Facility Improvement – La Loma Neighborhood Phase 2B Fire Hydrants Project (Project), and

WHEREAS, the Project will be funded with $627,000 in Community Development Block Funds for replacing outdated fire hydrants that do not meet city spacing standards for residential neighborhoods and eligible activity delivery charges.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Modesto that it hereby approves the amendment of the Fiscal year 2018-19 Capital Improvement Project Budget as shown in Exhibit A attached hereto.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to implement the provision of this resolution.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 2018, 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

ATTEST:  

(STEPHANIE LOPEZ, City Clerk)

(SEAL)

APPROVED AS TO FORM:

By:  

ADAM U. LINDGREN, City Attorney
IDIS Activity #1320

FUND: 3170
COST CENTER: 14999
PROJECT #: 101148
PROJECT NAME: CED:
TASK: CON
EXPENSE TYPE: CONSTRUCTION
$465,272

FUND: 3170
COST CENTER: 14999
PROJECT #: 101148
PROJECT NAME: CED:
TASK: CTGY – CONSTRUCTION CONTINGENCY
EXPENSE TYPE: CONTINGENCY-CIP
$58,201

FUND: 3170
COST CENTER: 14999
PROJECT #: 101148
PROJECT NAME: CED:
TASK: CA
EXPENSE TYPE: CONSTRUCTION ADMIN
$46,527

FUND: 3170
COST CENTER: 14999
PROJECT #: 101148
PROJECT NAME: CED:
TASK: EDA-ADMINISTRATION (PAYROLL)
EXPENSE TYPE: EDA-ADMINISTRATION (ACTIVITY DELIVERY)
$57,000

REVENUE:
1130-14015-42030-01320 $627,000

TRANSFER OUT TO CAPITAL PROJECTS:
1130-71130-73170-PROJECT #- $627,000

TRANSFER IN TO CAPITAL PROJECTS:
3170-39999-61130-PROJECT #- $627,000