

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-291**

RESOLUTION APPOINTING RANDY CLARK, THEODORE MILLS, MIKE REGO, DAVID THOMAS, ALLAN JAMES, AUDREY MILLS, JANICE KEATING, JAMES AJA, AND PATRICIA BRAZELTON TO THE CITY OF MODESTO MEASURE L CITIZENS' TRANSPORTATION SALES TAX COMMISSION

WHEREAS, in November of 2016, Stanislaus County voters approved a county-wide, 25-year, half-cent sales tax increase known as Measure L which went into effect on April 1, 2017, and

WHEREAS, on October 4, 2016, Council approved Ordinance No. 3656-C.S. adding Chapter 10 to Title 8 of the Modesto Municipal Code to establish a Citizens' Transportation Sales Tax Commission, and

WHEREAS, the Commission will consist of eleven (11) members appointed by Council to represent the City's citizens, and

WHEREAS, the purpose of the City's Citizens' Transportation Sales Tax Commission will be to:

- Ensure all transportation revenue collected by the City from Measure L is spent in accordance with the Measure L Ordinance and Expenditure Plan;
- Hold public meetings as necessary regarding the expenditure and status of funds generated by Measure L;
- Review independent audits of the expenditure of tax funds and implementation of the programs and projects in the Expenditure Plan; and
- Issue an annual report on its findings regarding compliance with the requirements of the Expenditure Plan and the Ordinance to Council, and

WHEREAS, the City received 15 applications that were presented to the Appointments Committee for consideration on July 5, 2017, and

WHEREAS, the Appointments Committee recommends appointing the following to the City's Citizens' Transportation Sales Tax Commission:

Representing	Appointee
1 member from any association representing business such as Chamber of Commerce	Randy Clark
2 members from Modesto Neighborhood Associations or organizations with similar purposes with tax-exempt status	Theodore Mills Mike Rego
2 members from any local taxpayer's association with tax exempt status	David Thomas Allan James
1 member from large business located within the City of Modesto	Audrey Mills
1 member from small business located within the City of Modesto	Janice Keating
2 members from labor union with members residing in the City of Modesto	James Aja 1 seat vacant
1 members from a former Stanislaus County Civil Grand Jury served within previous five years of appointment	Patricia Brazelton
1 member from any local nonpartisan political organization with tax-exempt status	1 seat vacant

, and

WHEREAS, There are currently 2 seats that remain vacant due to a lack of applicants to represent that specific segment of the City's population, and

WHEREAS, it is staff's intention to continue to accept applications to be considered by the Appointments Committee for this Commission and present them to Council for consideration and approval.

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

1. Randy Clark, Theodore Mills, Mike Rego, David Thomas, Allan James, Audrey Mills, Janice Keating, James Aja, and Patricia Brazelton are hereby appointed to the City of Modesto Measure L Citizens' Transportation Sales Tax Commission effective July 1, 2017, and
2. The City Clerk is hereby directed to transmit a copy of this resolution to the Secretary of the Commission, thereof.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Ah You, 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, Zoslocki, Mayor Brandvold

NOES: Councilmembers: Ridenour

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-292**

**RESOLUTION APPOINTING CRAIG LEWIS TO THE STANCOG MEASURE L
CITIZENS OVERSIGHT COMMITTEE**

WHEREAS, in November of 2016, Stanislaus County voters approved a county-wide, 25-year, half-cent sales tax increase known as Measure L which went into effect on April 1, 2017, and

WHEREAS, the Stanislaus Council of Governments (StanCOG) is creating a Measure L Citizens Oversight Committee, and

WHEREAS, the Measure L Citizens Oversight Committee candidates are to be chosen by the City Council or Board of Supervisors they represent, and

WHEREAS, the purpose of the City's Citizens' Transportation Sales Tax Commission will be to:

- Ensure all transportation revenue collected by the City from Measure L is spent in accordance with the Measure L Ordinance and Expenditure Plan;
- Hold public meetings as necessary regarding the expenditure and status of funds generated by Measure L;
- Review independent audits of the expenditure of tax funds and implementation of the programs and projects in the Expenditure Plan; and
- Issue an annual report on its findings regarding compliance with the requirements of the Expenditure Plan and the Ordinance to Council, and

WHEREAS, the Measure L Citizens Oversight Committee member approved by Council will represent the Modesto citizens, and

WHEREAS, the City received 15 applications that were presented to the Appointments Committee for consideration on July 5, 2017, and

WHEREAS, the Appointments Committee recommends appointing Craig Lewis to represent the City on the StanCOG Measure L Citizens Oversight Committee.

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

1. Craig Lewis is hereby appointed to the StanCOG Measure L Citizens Oversight Committee effective July 1, 2017, and
2. The City Clerk is hereby directed to transmit a copy of this resolution to the Secretary of the Committee thereof.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, 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: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-293**

**RESOLUTION REAPPOINTING SUSIE FAGUNDES AND BRAD MORAD TO
THE DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD FOR A
FOUR-YEAR TERM TO EXPIRE JANUARY 1, 2021**

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

WHEREAS, the Downtown Improvement District Board of Directors are recommending the reappointments of Susie Fagundes and Brad Morad to a term ending January 1, 2021 to the Downtown Improvement District Advisory Board.

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

SECTION 1. Susie Fagundes and Brad Morad are hereby reappointed to the Downtown Improvement District Advisory Board.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this Resolution to the reappointed members of Downtown Improvement District Advisory Board, and as Secretary thereof.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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

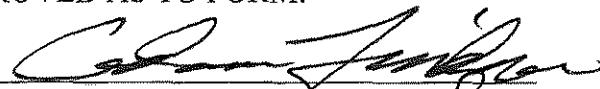
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-294**

**RESOLUTION ACCEPTING THE RESIGNATION OF ROSIE ARCE FROM THE
CITY OF MODESTO CULTURE COMMISSION**

WHEREAS, Rosie Arce was appointed to serve as a member of the Culture Commission on October 24, 2016, and

WHEREAS, Rosie Arce has tendered her resignation from the Culture Commission on July 12, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Rosie Arce from the Culture Commission be, and hereby is accepted with regret.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017 by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-295**

RESOLUTION APPROVING A WILL SERVE LETTER AND OUTSIDE SERVICE AGREEMENT BETWEEN THE CITY OF MODESTO AND THE CITY OF MODESTO UTILITIES DEPARTMENT TO CONNECT TO THE CITY OF MODESTO'S EXISTING WATER SYSTEM FOR THE PROPERTY LOCATED AT LITT ROAD (APN 084-003-005) AND AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE, TO EXECUTE THE WILL SERVE LETTER AND AUTHORIZING THE UTILITIES DEPARTMENT DIRECTOR AND THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE OUTSIDE SERVICE AGREEMENT

WHEREAS, the City of Modesto, owns commercial property located at Litt Road, which is located outside of Modesto City limits and inside the City's Sphere of Influence, and

WHEREAS, the property located at Litt Road is not connected to City's water system and is requesting a water connection due to construction of a new Corporation Yard Facility, and

WHEREAS, on May 22, 2012, the City Council approved Resolution No. 2012-202 that amended City Council Policy 5.001, and

WHEREAS, on June 5, 2012, the City Council approved final adoption of Ordinance No. 3566-C.S. amending City of Modesto Municipal Code Section 11-1.05, and

WHEREAS, on November 25, 2014, the City Council approved Resolution No. 2014-472 that amended City Council Policy 5.001, and

WHEREAS, on December 9, 2014, the City Council approved adoption of Ordinance No. 3611-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 water services into certain unincorporated areas that are located within the former Del Este Water Service Area without City Council approval, and

WHEREAS, the property located at Litt Road is not located within the former Del Este Water Service area and therefore requires City Council approval prior to allowing the new water service connection, and

WHEREAS, City staff has completed an analysis and determined that a sufficient quantity of potable water is available for normal usage by the proposed development, and

WHEREAS, the water connection fees shall be paid and associated permits be obtained prior to beginning any on site construction, and

WHEREAS, the property owner, the City of Modesto, will execute an Outside Service Agreement for water service with the City as required prior to receiving water 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 water service for the property located at Litt Road (APN: 084-003-005).

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute the Will Serve Letter and the Utilities Department Director and the Interim City Manager, or his designee, are hereby authorized to execute the Outside Service Agreement for water service.

The foregoing documents were introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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


NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-296**

RESOLUTION APPROVING A WILL SERVE LETTER AND OUTSIDE SERVICE AGREEMENT BETWEEN THE CITY OF MODESTO AND THE CITY OF MODESTO UTILITIES DEPARTMENT TO CONNECT TO THE CITY OF MODESTO'S EXISTING SEWER SYSTEM FOR THE PROPERTY LOCATED AT LITT ROAD (APN: 084-003-005) AND AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE WILL SERVE LETTER AND AUTHORIZING THE UTILITIES DEPARTMENT DIRECTOR AND THE INTERIM CITY MANAGER OR HIS DESIGNEE, TO EXECUTE THE OUTSIDE SERVICE AGREEMENT

WHEREAS, The City of Modesto owns commercial property located at Litt Road which is located outside of Modesto City Limits and inside the City's Sphere of Influence, and

WHEREAS, the property located at Litt Road, is not connected to City's sewer system and is requesting a sewer connection due to the construction of a new Corporation Yard Facility, and

WHEREAS, on May 22, 2012, the City Council approved Resolution No. 2012-203 that amended City Council Policy 5.002, and

WHEREAS, on June 5, 2012, the City Council approved final adoption of Ordinance No. 3567-C.S. amending City of Modesto Municipal Code Section 5-6.309, 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 Litt Road 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, consistent with Government Code 56133, the City is requesting a service in anticipation of an upcoming annexation, 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, the City of Modesto, will execute an Outside Service Agreement for sewer service with the City as required prior to receiving 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 Litt Road (APN: 084-003-005).

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, are hereby authorized to approve the Will Serve Letter and the Utilities Department Director and the Interim City Manager, or his designee, are hereby authorized to execute the Outside Service Agreement for sewer service.

The foregoing documents were introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-297**

RESOLUTION APPROVING AWARD OF PROPOSAL AND AGREEMENT WITH HDL SOFTWARE, LLC, DIAMOND BAR, CA FOR THE PURCHASE AND INSTALLATION OF A NEW BUSINESS LICENSING AND TAX COLLECTION SOFTWARE FOR THE FINANCE DEPARTMENT AND AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE A FIVE (5) YEAR CONTRACT AT AN ESTIMATED COST OF \$151,748 AND AN ADDITIONAL ESTIMATED \$21,000 FOR ONE-TIME PROFESSIONAL SERVICES AND \$11,000 FOR HARDWARE NECESSARY TO COMPLETE THE IMPLEMENTATION

WHEREAS, the Finance Department requires the use of specialized tax collection software to manage approximately \$14 million in General Fund revenues from the City's 13,000 licensed businesses, and

WHEREAS, in Fiscal Year 2016-17 the 100 Day Revenue Committee along with the Information and Technology Steering Committee prioritized and recommended the purchase of new Business Licensing Software that would allow for advancements in updated technology such as expanded reporting capabilities, integrated email communication with business owners and the ability for customers to file for a license, report and pay their taxes online, and

WHEREAS, the Purchasing Division issued RFP 1617-07 under commodity codes for computer software for microcomputers, database software, computer software for mini/mainframe, computer software consulting and applications software, and

WHEREAS, two (2) companies chose to respond, none of which are local companies, and

WHEREAS, an evaluation committee comprised of five (5) City staff members evaluated the proposals and Councilmember Douglas Ridenour was chosen by the Mayor to observe the RFP process, and

WHEREAS, based on total evaluation criteria with HDL having the highest ranking, the evaluation committee recommends the award of proposal for the purchase, installation and five-year maintenance of Business Licensing and Tax Collection Software to HDL Software, LLC, and

WHEREAS, in addition to the software system other necessary modifications and infrastructure components shall also be required in the estimated amount of \$32,000 and will be procured following City purchasing rules and regulations, 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 the award of proposal for the purchase and installation of Business Licensing and Tax Collection Software to HDL Software, LLC, conforms to the Modesto Municipal Code, 8-3.203.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby awards the contract to HDL Software, LLC, Diamond Bar, CA for the purchase and installation of a new Business Licensing and Tax Collection Software for the Finance Department.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute a five year contract with HDL Software, LLC at an estimated cost of \$151,748 and an additional estimated \$21,000 for one-time professional services and \$11,000 for hardware in a form approved by the City Attorney.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-298**

**RESOLUTION ACCEPTING THE ACCOUNTS RECEIVABLE WRITE-OFF
REPORTS FROM THE INTERIM CITY MANAGER AND FINANCE
DIRECTOR THROUGH JUNE 30, 2016 TOTALING \$719,153, AND APPROVE A
REPORT OF DISPOSITION BE FILLED WITH THE CITY CLERK**

WHEREAS, the Finance Department maintains a billing system to track monies owed to the City, and

WHEREAS, occasionally the responsible party does not pay the City as required, and

WHEREAS, it is the City's policy to actively pursue collection of past-due accounts and write off amounts deemed to be uncollectible, and

WHEREAS, the City employs various different means of trying to collect past-due accounts, and

WHEREAS, collection efforts continue until the legal statute restricts the City's collections actions, and

WHEREAS, the following amounts with an outstanding balance less than \$5,000 have been approved for write-off by the Director of Finance for the Fiscal Year 2015-2016 and as such all available collection remedies have been exhausted: (1) Utilities Accounts - \$433,589 and (2) Miscellaneous Receivables - \$215,943, and

WHEREAS, the following amounts with an outstanding balance less than \$25,000 have been approved for write-off by the City Manager for the Fiscal Year 2015-2016 and as such all available collection remedies have been exhausted: Miscellaneous Receivables - \$69,351, and

WHEREAS, the City's Write-off of Uncollectible Accounts Receivable policy, as allowed under by Section 2-3.406 of Article 4 of Title 2 of the Municipal Code, requires the following approval authority: the Director of Finance is authorized to approve the write-off of accounts with an outstanding balance due of up to \$5,000, and the City Manager is authorized to approve the write-off of accounts with an outstanding balance due in excess of \$5,000 and up to \$25,000; and

WHEREAS, for write-offs in excess of \$25,000, Section 2-3.406 of Article 4 of Title 2 of the Municipal Code requires the City Manager to report the accounts to the City Council with his recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts the Interim City Manager's and Director of Finance reports of uncollectible utility and accounts receivable in the total amount of \$719,153, and authorizes a report of disposition be filled with the City Clerk,

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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

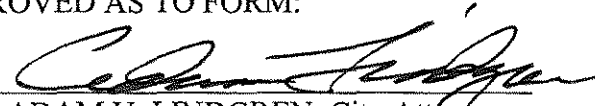
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-299**

RESOLUTION REJECTING ALL BIDS FOR THE DENNETT DAM REMOVAL PROJECT

WHEREAS, Dennett Dam was constructed in the 1930's, was condemned by the State of California in 1947 and has acted as a partial barrier to fish passage and impediment to recreational boating, and

WHEREAS, the one bid received for the Dennett Dam Removal Project was opened at 11:00 a.m. on June 13, 2017, and later tabulated by the Utilities Department for the consideration of the Council, and

WHEREAS, Sierra Mountain Construction of Sonora, California was the sole and apparent low bidder at 215% above the engineer's estimate, and

WHEREAS, the Parks Planning and Development Division staff determined that the lack of bids and the single bid submitted at 215% above the engineer's estimate was due to the extreme river flows in the Tuolumne River, limited access to the site and short construction window which made it a high risk project. In addition, there were other contractors that did not bid due to the scope of the project not meeting their time lines for the construction period of the removal of the dam, and

WHEREAS, City staff recommends that the City reject the bids, make some modifications to the scope of work and re-advertise the project for bid in late 2017 with the intention of attracting a higher number of contractors and more competitive bids.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby rejects the bid received for the Dennett Dam Removal Project.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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

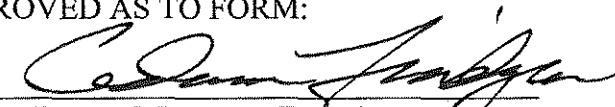
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-300**

**RESOLUTION ACCEPTING THE FEDERAL TRANSIT ADMINISTRATION
TRIENNIAL REVIEW FINAL REPORT**

WHEREAS, the Federal Transit Administration (FTA) Triennial Review is one of the management tools for examining grantee performance and adherence to current FTA requirements and policies, and

WHEREAS, in October 2016, the City of Modesto was notified that the FTA Triennial Review process would begin, and

WHEREAS, during the triennial review process, before and during the on-site visit, the reviewer examined records, interviewed staff, conducted tests and reviewed the facilities, and

WHEREAS, on March 30, 2017, the FTA and Triennial Reviewer met with Modesto transit staff to discuss their findings in an exit conference, and

WHEREAS, of more than 17 compliance areas examined, Modesto was found to have seven areas of deficiencies, and

WHEREAS, Modesto has been given until August 31, 2017, to take corrective action on these seven areas.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts the Federal Transit Administration Triennial Review final report, which is **attached** hereto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

Attest: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-301**

RESOLUTION AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES REQUESTING CALIFORNIA TRANSIT ASSISTANCE FUNDS FOR TRANSIT SECURITY PROJECTS FOR \$435,985 OF FISCAL YEAR 2015-16 FUNDS UNDER THE CALIFORNIA TRANSIT SECURITY GRANT PROGRAM FOR TRANSIT SECURITY PROJECTS AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE ALL GRANT DOCUMENTS

WHEREAS, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 authorizes the issuance of general obligation bonds for specified purposes, including, but not limited to, funding made available for capital projects that provide increased protection against security and safety threats, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems, and

WHEREAS, the California Governor's Office of Emergency Services (Cal OES) administers such funds deposited in the Transit System Safety, Security, and Disaster Response Account under the California Transit Security Grant Program (CTSGP), and

WHEREAS, the Stanislaus Council of Governments (StanCOG) is the designated recipient for regional funds under GC 8879.58 (a)(2), and

WHEREAS, the StanCOG Policy Board passed Resolution 16-38, designating \$400,000 of the Fiscal Year 2015-16 regional funds for the City of Modesto for transit security projects, and

WHEREAS, the City of Modesto is the designated recipient of \$35,985 in Fiscal Year 2015-16 local funds under GC 8879.58 (a)(3) resulting in a total allocation of \$435,985 for Fiscal Year 2015-16, and

WHEREAS, the City of Modesto is eligible to review CTSGP funds, and

WHEREAS, the City of Modesto recognizes that it is responsible for compliance with all Cal OES CTSGP grant assurances and state and federal laws, including, but not limited to, laws governing the use of bond funds, and

WHEREAS, Cal OES requires the City of Modesto to complete and submit a Governing Body Resolution for the purposes of identifying agent(s) authorized to act on behalf of the City of Modesto to execute actions necessary to obtain CTSGP funds from Cal OES and ensure continued compliance with Cal OES CTSGP assurances and state and federal laws.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the submittal of an application to the California Governor's Office of Emergency Services requesting California Transit Assistance Funds for transit security projects for \$435,985 in Fiscal Year 2015-16 funds.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is authorized to execute all necessary grant documents with the California Governor's Office of Emergency Services on behalf of the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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

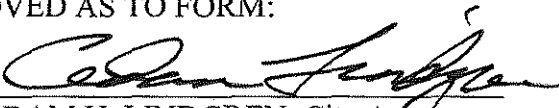
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-302**

RESOLUTION AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES REQUESTING CALIFORNIA TRANSIT ASSISTANCE FUNDS FOR TRANSIT SECURITY PROJECTS FOR \$110,106 OF FISCAL YEAR 2016-17 FUNDS UNDER THE CALIFORNIA TRANSIT SECURITY GRANT PROGRAM FOR TRANSIT SECURITY PROJECTS AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE ALL GRANT DOCUMENTS

WHEREAS, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 authorizes the issuance of general obligation bonds for specified purposes, including, but not limited to, funding made available for capital projects that provide increased protection against security and safety threats, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems, and

WHEREAS, the California Governor's Office of Emergency Services (Cal OES) administers such funds deposited in the Transit System Safety, Security, and Disaster Response Account under the California Transit Security Grant Program (CTSGP), and

WHEREAS, the Stanislaus Council of Governments (StanCOG) is the designated recipient for regional funds under GC 8879.58 (a)(2), and

WHEREAS, the StanCOG Policy Board passed Resolution 16-38, designating \$100,000 of the Fiscal Year 2016-17 regional funds for the City of Modesto for transit security projects, and

WHEREAS, the City of Modesto is the designated recipient of \$10,106 in Fiscal Year 2016-17 local funds under GC 8879.58 (a)(3) resulting in a total allocation of \$110,106 for Fiscal Year 2016-17, and

WHEREAS, the City of Modesto is eligible to review CTSGP funds, and

WHEREAS, the City of Modesto recognizes that it is responsible for compliance with all Cal OES CTSGP grant assurances and state and federal laws, including, but not limited to, laws governing the use of bond funds, and

WHEREAS, Cal OES requires the City of Modesto to complete and submit a Governing Body Resolution for the purposes of identifying agent(s) authorized to act on behalf of the City of Modesto to execute actions necessary to obtain CTSGP funds from Cal OES and ensure continued compliance with Cal OES CTSGP assurances and state and federal laws.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the submittal of a grant application to the California Governor's Office of Emergency Services requesting California Transit Assistance Funds for transit security projects for \$110,106 in Fiscal Year 2016-17 funds.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is authorized to execute all necessary grant documents with the California Governor's Office of Emergency Services on behalf of the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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

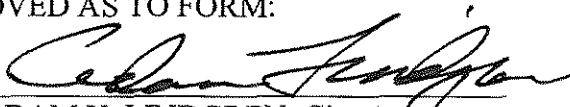
NOES: Councilmembers: None

ABSENT: Councilmembers: None

Attest: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-303**

RESOLUTION APPROVING A FIRST AMENDMENT TO THE AGREEMENT WITH BROWN AND CALDWELL, INC., RANCHO CORDOVA, CA, FOR DESIGN AND CONSTRUCTION SERVICES FOR THE REPLACEMENT WELL 226 PROJECT IN THE AMOUNT OF \$107,847, AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT

WHEREAS, City water supply Well 226, located at the northwest corner of Conant Avenue and Brenner Way, was taken offline in 2006 due to elevated arsenic and nitrate concentrations. Well 226 was originally drilled in 1954, and strategically located near the Highway Village neighborhood, and

WHEREAS, Well 226 is over 60 years old and no longer productive due to its shallow depth of 270-feet, and its drilled configuration does not allow isolation of specific water layers, and

WHEREAS, on April 7, 2009, by Resolution No. 2009-149, Council approved a short-list of hydrogeologists to be used on an as-needed rotational basis, and

WHEREAS, in accordance with Administrative Directive 3.1, Selection Procedures for Professional Consultants Who Provide Architectural and Engineering Services for Capital Projects, Brown and Caldwell (B&C) was selected as the most qualified firm to provide design services for well remediation at Well 226, and

WHEREAS, on November 24, 2009, by Resolution No. 2009-554, Council approved an agreement with B&C for Design Services for Well Remediation at Well 226, and

WHEREAS, the proposed design included a new well on the existing site, drilling to a deeper level and constructing to current well standards, and

WHEREAS, in 2011, plans and specifications for removal and replacement of Well 226 were prepared, but the project was deferred due to the downturn of the economy, and

WHEREAS, the agreement with B&C was subsequently closed, and

WHEREAS, on June 28, 2016, by Resolution No. 2016-270, Council approved the specifications for destruction of certain water wells, and awarded a contract to Howk Systems of Modesto, CA, and

WHEREAS, Well 226 was destroyed as part of this work, and

WHEREAS, on February 7, 2017, by Resolution No. 2017-42, Council approved an agreement with B&C to provide design, bid and engineering during construction services for the Replacement Well 226 Project, and

WHEREAS, during the design phase of the Replacement Well 226 project, the Utilities' Water Division determined that a pump house was needed to protect the well from outside interference from the general public and minimize the sound that will be generated from the pump, and

WHEREAS, Well 226 is bounded by residential properties to the north, south & west and to the east of Chrysler Elementary School, and

WHEREAS, the proposed well is anticipated to be installed roughly 30-feet from a residential property to the west and will be located approximately 20-feet from the current right-of-way on Brenner Way, and

WHEREAS, the initial scope of services negotiated and approved with B&C did not include a pump house, and

WHEREAS, it was assumed that the current chain link fencing would be upgraded to 1-inch mesh fencing to shield and protect the well site, and

WHEREAS, prior to determining a pump house was needed, B&C explored other noise & safety mitigation measures but those options did not work from an operational and safety standpoint, and

WHEREAS, additionally, as the design progressed, B&C determined that the existing motor control center (MCC) and electrical panels that help control the production of the well, needed to be upgraded, and

WHEREAS, B&C originally assumed that the existing MCC and electrical panels would be sufficient, and

WHEREAS, the design and construction document additions resulted in extended effort in the following tasks: 1) Well Equipping Design; 2) Engineering Services During Construction; and 3) Project Management, and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the First Amendment to the Agreement with Brown and Caldwell, Inc., Rancho Cordova, CA, for design and construction services in the amount of \$107,847.

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

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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

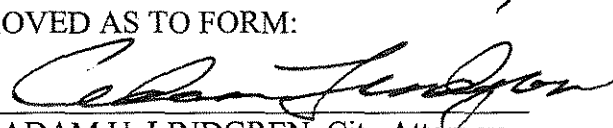
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-304**

RESOLUTION APPROVING THE AWARD OF BID AND CONTRACT FOR PUMP EFFICIENCY TESTING TO PUMPING EFFICIENCY TESTING SERVICES, SEBASTOPOL, CA, FOR A TWO-YEAR AGREEMENT WITH THREE ONE-YEAR EXTENSION OPTIONS AT THE SOLE DISCRETION OF THE CITY, FOR AN ESTIMATED ANNUAL COST OF \$30,000, OR A TOTAL OF UP TO \$150,000 OVER FIVE YEARS, AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A PURCHASE AGREEMENT

WHEREAS, the City has a need for pump efficiency testing for its pumps and panels, and

WHEREAS, the Water Services Division expects to have 120 pump efficiency tests performed each year for an annual cost of \$30,000, and

WHEREAS, the Interim City Manager authorizes the Purchasing Manager to issue formal Request for Bids (RFB) for pump efficiency testing, and

WHEREAS, on February 21, 2017, the Purchasing Division issued RFB No.1617-22 Pump Station Efficiency on the City's website under the commodity codes for pumping equipment and accessories, water pumps and accessories, testing apparatus and instruments, water supply groundwater sewage treatment related equipment, testing services, and wastewater treatment plant operations and testing, and nine companies chose to download the RFB document, and

WHEREAS, bids were formally opened in the City Clerk's Office. Three (3) companies chose to respond, one was a local vendor. All companies provided responsive and responsible bids, and

WHEREAS, based on the responsive and responsible bids received, City staff recommends the award of bid for pump efficiency testing to Pumping Efficiency Testing Services, Sebastopol, CA, and

WHEREAS, Modesto Municipal Code Section 8-3.203 generally requires all purchases, which meet or exceed \$50,000 for material, equipment or contractual services to be formally bid. The award of bids for the pump efficiency testing to Pumping Efficiency Testing Services, Sebastopol, CA, conforms to the Modesto Municipal Code, 8-3.203, and

WHEREAS, the cost for these services will be covered by the Water Fund through existing budget in 4100-45050-53300, Water Services – Wells and Tanks.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the award of bids for pump efficiency testing to Pumping Efficiency Testing Services, Sebastopol, CA, for a two-year agreement with three one-year extension options at the sole discretion of the City, for an estimated annual cost of \$30,000, or a total of up to \$150,000 over five years.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to issue a purchasing agreement.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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


NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-305**

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE BOWEN, JOHANSEN, NARAGHI AND ORCHARD STORM LIFT STATIONS IMPROVEMENTS PROJECT, ACCEPTING THE BID, AND AWARD A CONSTRUCTION CONTRACT TO TRI-TECHNIC, INC., OF SONORA, CA IN THE AMOUNT OF \$1,126,510, AND AUTHORIZING THE INTERIM CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CONTRACT

WHEREAS, Contract Documents have been prepared for the Bowen, Johansen, Naraghi, and Orchard Storm Lift Stations Improvements Project, and the Interim City Manager authorized City staff to solicit the Project for bids, and

WHEREAS, City staff solicited the Project in conformance of Section 1307 of the City's Charter, and

WHEREAS, the bids received for the Bowen, Johansen, Naraghi, and Orchard Storm Lift Stations Improvements Project were publicly opened at 11:00 a.m. on June 27, 2017, and

WHEREAS, the Interim City Manager recommends the bid of \$1,126,510 received from Tri-Technic, Inc., of Sonora, California, be accepted as the lowest responsible bidder and responsive bid and the contract be awarded to Tri-Technic, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Plans and Specifications for the Bowen, Johansen, Naraghi and Orchard Storm Lift Station Improvements, accepts the bid and awards the construction contract to Tri-Technic, Inc. of Sonora, California, in the amount of \$1,126,510.

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

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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

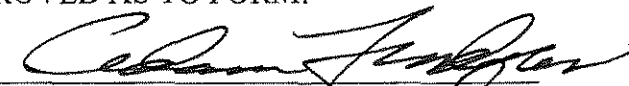
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-306**

RESOLUTION AMENDING THE FISCAL YEAR 2017-18 CAPITAL IMPROVEMENT PROGRAM BUDGET IN THE AMOUNT OF \$1,154,140 TO BE TRANSFERRED INTO THE PROJECT FROM STORM DRAIN FUND RESERVES TO FULLY FUND THE CONSTRUCTION, CONTINGENCY, CONSTRUCTION ADMINISTRATION, AND DESIGN SUPPORT DURING CONSTRUCTION FOR THE BOWEN, JOHANSEN, NARAGHI, AND ORCHARD STORM DRAIN LIFT STATIONS IMPROVEMENTS PROJECT

WHEREAS, certain budgetary transactions are necessary in the amount of \$1,154,140, in order to fund construction, contingency, construction administration, design support during construction plus City staff support for the Bowen, Johansen, Naraghi, and Orchard Storm Lift Stations Improvements Project, and

WHEREAS, the Fiscal Year 2017-2018 Capital Improvement Program Budget must be amended as shown in **Exhibit A**, which is incorporated by reference herein.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the amendment of the Fiscal Year 2017-2018 Capital Improvement Program Budget as shown in **Exhibit A**, **attached** hereto.

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

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Zoslocki, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

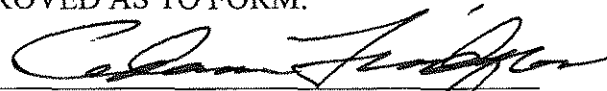
By: 
ADAM U. LINDGREN, City Attorney

Exhibit A

Due to construction costs being higher than initially budgeted for the project, line item increases/decreases are necessary for CIP Account #100845 "SD Pump Station Electrical", and the total project costs need to be increased by \$1,154,140. This would be done by adjusting Construction Admin by \$113,916, Construction by \$921,510, Contingency-CIP by \$67,621, and Eng/Design/Admin by \$51,093.

To fund the above account, \$1,154,140 will be transferred from Storm Drain Fund Reserves into CIP Project 100845 for the Bowen, Johansen, Naraghi, and Orchard Storm Lift Stations Improvements Project.

**MODESTO CITY COUNCIL
RESOLUTION NO. 2017-307**

**RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER, OR HIS
DESIGNEE, TO PAY RELOCATION BENEFITS PURSUANT TO MODESTO
MUNICIPAL CODE 4-12.501 *ET SEQ.*, AND STATE LAW, IF NECESSARY, UP
TO A MAXIMUM AMOUNT OF \$60,000, TO THE LEGAL TENANTS OF
PROPERTY LOCATED AT 624 9TH STREET, MODESTO, WHICH FUNDS
SHALL BE SECURED BY A LIEN**

WHEREAS, Ordinance 3514-C.S., made significant amendments to Chapter 12 of Title 4 of the Municipal Code, including the addition of Article 5 (section 4-12.501 *et seq.*), entitled “Tenant Relocation Benefits,” to provide a method for reimbursement to tenants forced to relocate due to severe code violations which threaten the life, health and safety of the tenants and require the units or rooms to be vacated to allow for extensive repairs, and

WHEREAS, during its annual inspection, the Modesto Fire Department found deteriorated conditions at the property located at 624 9th Street (APN 106-043-010), and

WHEREAS, upon notice from the Fire Department and further inspections by Building Safety Division Staff, said property was found to be unfit for human occupancy, and

WHEREAS, the property located at 624 9th street was condemned and a 30-day notice to vacate was posted, and

WHEREAS, due to significant violations of both the Modesto Municipal Code and State building and health and safety standards, the City issued a Notice and Order to the property owner on May 18, 2017 and a Notice to Vacate to the tenants at property located at 624 9th Street on June 29, 2017, and

WHEREAS, there are 29 dwelling units at the property at 624 9th Street, and

WHEREAS, section 4-12.502 provides that “[a]ny tenant who is displaced from any residential unit as a result of a Notice and Order to vacate due to unsafe or hazardous living conditions, issued by an authorized City official, shall be entitled to receive relocation benefits from the owner as specified in this article,” and

WHEREAS, the amount of relocation benefits owed to a tenant is either an amount equal to twice the established monthly rental rate paid by the tenant for the unit being vacated or the monthly amount paid by the tenant for the new unit where the tenant moves, whichever is less, and

WHEREAS, the relocation benefits owed to the tenants at 624 9th Street is anticipated to exceed the Interim City Manager’s authority of \$50,000, and

WHEREAS, applications for relocation benefits shall be received by the Community and Economic Development Department and reviewed for compliance with sections 4-12.503, 4-12.505 and 4-12.507, and

WHEREAS, before the City pays any relocation benefits to the tenants, the property owner shall be given the requisite notice and opportunity to pay the relocation benefits directly to the tenants, and

WHEREAS, the multi-year enterprise fund for abatements (Project 100673 CED) was established through Resolution No. 2011-438 and was intended to create a separate funding source to fund the abatement of public nuisances, blight and dangerous and unsafe buildings, and

WHEREAS, any relocation benefits paid by the City shall be paid from the multi-year enterprise fund for abatements.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the Interim City Manager, or his designee, to pay relocation benefits pursuant to Modesto Municipal Code section 4-12.501 *et seq.*, if necessary, up to a maximum amount of \$60,000, to the legal tenants of property located at 624 9th Street, Modesto, California.

BE IT FURTHER RESOLVED that any amounts paid to the tenants for relocation benefits shall be secured by a lien.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of August, 2017, by Councilmember Ah You, 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, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold


NOES: Councilmembers: None

ABSENT: Councilmembers: Grewal

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney