

ORDINANCE NO. 3741-C.S.

ORDINANCE AMENDING SECTION 1-2.10 OF TITLE 1, “GENERAL PROVISIONS,” CHAPTER 2, “PENALTY PROVISIONS,” OF THE MODESTO MUNICIPAL CODE, RELATING TO ISSUANCE OF CITATIONS BY DESIGNATED EMPLOYEES, TO INCLUDE PARK RANGERS AND POLICE CADET II’S

WHEREAS, the City of Modesto operates and maintains 76 parks within the city park system for the community to enjoy and recreate in; and

WHEREAS, for many years, community complaints, departmental reports, and police calls for service have identified consistent issues in city parks, open spaces, and trails within the city to include the following: vandalism, illegal camping and trespassing, drug use, dogs off leashes and failure to clean up after dogs, damage to natural habitat and delayed enforcement response times; and

WHEREAS, the City of Modesto strives to be an inviting and safe community with thriving neighborhoods. Ensuring city parks, open spaces, and trails are safe and attractive place for our citizens to enjoy helps achieve this vision; and

WHEREAS, to help achieve a sustained presence in our city parks, trails, and open spaces, the Modesto Police Department recommends implementing an eighteen (18) month Park Ranger pilot program; and

WHEREAS, the program would utilize four (4) full time cadets who would be assigned as Park Rangers for the duration of the pilot program; and

WHEREAS, the enforcement authority of the Park Rangers would be limited to the issuance of citations for violations of state law or any violation of the City of Modesto Municipal Code.

WHEREAS, to provide this authority, the Modesto Police Department requests amending MMC 1-2.10- Issuance of Citations by Designated Employees, to allow the positions of police cadet II and park ranger to issue citations.

NOW THEREFORE, the City Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENTS:

Title 1, "General Provisions," Chapter 2, "Penalty Provisions," Section 1-2.10 of the City's Municipal Code is hereby amended to read as follows:

1-2.10 - Issuance of Citations by Designated Employees.
Pursuant to the provisions of Penal Code Section 836.5, the code enforcement staff of the Neighborhood Preservation Unit of the Community Development Department and the Animal Licensing Officers, Park Rangers, and Police Cadet II's of the Modesto Police Department are authorized to arrest a person without a warrant whenever such employee has reasonable cause to believe that the person to be arrested had committed, in the employee's presence, a misdemeanor or infraction violation of an ordinance which he or she has the discretionary duty to enforce; and to issue a notice to appear; and release such person on his or her written promise to appear in court, pursuant to California Penal Code Sections 853.5 through 853.6a. Employees so designated shall not be deemed to be peace officers.

SECTION 3. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. This City Council declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance be enforced.

SECTION 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)

The City Council hereby finds that the adoption of this Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) of the State CEQA Guidelines.

Specifically, this Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment because it does not authorize the construction of any new structures or other physical changes to the environment.

SECTION 5. EFFECTIVE DATE

This Ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 6. PUBLICATION

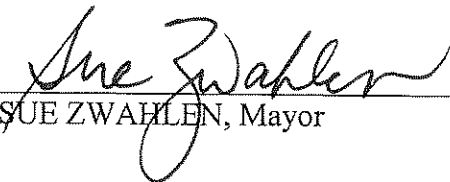
At least two (2) days prior to its final adoption, copies of this Ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this Ordinance is posted.

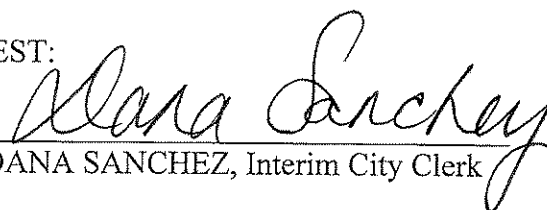
The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 2022, by Councilmember Ricci, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Wright, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Escutia-Braaton, Madrigal, Ricci, Wright, Zoslocki, Mayor Zwahlen

NOES: Councilmembers: None

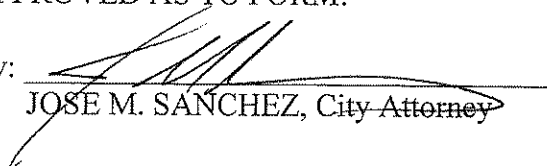
ABSENT: Councilmembers: Kenoyer

APPROVED: 
SUE ZWAHLEN, Mayor

ATTEST:
By: 
DANA SANCHEZ, Interim City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
JOSE M. SANCHEZ, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1st day of February, 2022, Councilmember Kenoyer moved its final adoption, which motion being duly seconded by Councilmember Wright, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Escutia-Braaton, Kenoyer, Madrigal, Ricci, Wright, Zoslocki, Mayor Zwahlen

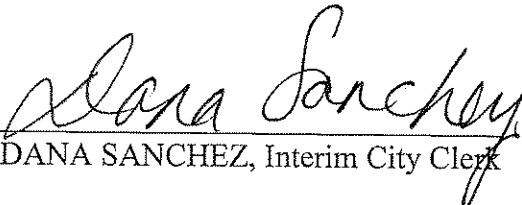
NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:


SUE ZWAHLEN, MAYOR

ATTEST:


DANA SANCHEZ, Interim City Clerk

Effective Date: March 3, 2022

ORDINANCE NO. 3741-C.S.

ORDINANCE AMENDING SECTION 1-2.10 OF TITLE 1, "GENERAL PROVISIONS," CHAPTER 2, "PENALTY PROVISIONS," OF THE MODESTO MUNICIPAL CODE, RELATING TO ISSUANCE OF CITATIONS BY DESIGNATED EMPLOYEES, TO INCLUDE PARK RANGERS AND POLICE CADET II'S

WHEREAS, the City of Modesto operates and maintains 76 parks within the city park system for the community to enjoy and recreate in; and

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WHEREAS, the City of Modesto strives to be an inviting and safe community with thriving neighborhoods. Ensuring city parks, open spaces, and trails are safe and attractive place for our citizens to enjoy helps achieve this vision; and

WHEREAS, to help achieve a sustained presence in our city parks, trails, and open spaces, the Modesto Police Department recommends implementing an eighteen (18) month Park Ranger pilot program; and

WHEREAS, the program would utilize four (4) full time cadets who would be assigned as Park Rangers for the duration of the pilot program; and

WHEREAS, the enforcement authority of the Park Rangers would be limited to the issuance of citations for violations of state law or any violation of the City of Modesto Municipal Code.

WHEREAS, to provide this authority, the Modesto Police Department requests amending MMC 1-2.10- Issuance of Citations by Designated Employees, to allow the positions of police cadet II and park ranger to issue citations.

NOW THEREFORE, the City Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENTS:

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1-2.10 - Issuance of Citations by Designated Employees.
Pursuant to the provisions of Penal Code Section 836.5, the code enforcement staff of the Neighborhood Preservation Unit of the Community Development Department and the Animal Licensing Officers, Park Rangers, and Police Cadet II’s of the Modesto Police Department are authorized to arrest a person without a warrant whenever such employee has reasonable cause to believe that the person to be arrested had committed, in the employee's presence, a misdemeanor or infraction violation of an ordinance which he or she has the discretionary duty to enforce; and to issue a notice to appear; and release such person on his or her written promise to appear in court, pursuant to California Penal Code Sections 853.5 through 853.6a. Employees so designated shall not be deemed to be peace officers.

SECTION 3. SEVERABILITY

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SECTION 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)

The City Council hereby finds that the adoption of this Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) of the State CEQA Guidelines.

Specifically, this Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment because it does not authorize the construction of any new structures or other physical changes to the environment.

SECTION 5. EFFECTIVE DATE

This Ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 6. PUBLICATION

At least two (2) days prior to its final adoption, copies of this Ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this Ordinance is posted.

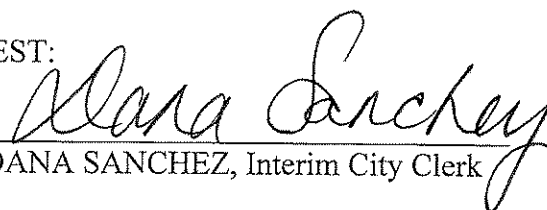
The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 2022, by Councilmember Ricci, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Wright, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Escutia-Braaton, Madrigal, Ricci, Wright, Zoslocki, Mayor Zwahlen

NOES: Councilmembers: None

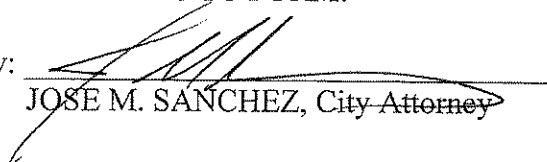
ABSENT: Councilmembers: Kenoyer

APPROVED: 
SUE ZWAHLEN, Mayor

ATTEST:
By: 
DANA SANCHEZ, Interim City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
JOSE M. SANCHEZ, City Attorney

FINAL ADOPTION CLAUSE


The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1st day of February, 2022, Councilmember Kenoyer moved its final adoption, which motion being duly seconded by Councilmember Wright, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Escutia-Braaton, Kenoyer, Madrigal, Ricci, Wright, Zoslocki, Mayor Zwahlen

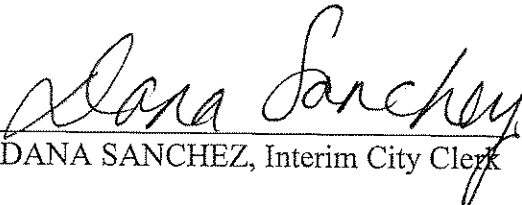
NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:


SUE ZWAHLEN, MAYOR

ATTEST:


DANA SANCHEZ, Interim City Clerk

Effective Date: March 3, 2022

ORDINANCE NO. 3742-C.S.

ORDINANCE AMENDING SECTION 10-3.704, “APPLICATION AND PERMIT PROCEDURES,” OF ARTICLE 7 OF CHAPTER 3 OF TITLE 10, “COMMERCIAL CANNABIS USES,” OF THE MODESTO MUNICIPAL CODE TO RENAME THE “CANNABIS PERMIT COMMITTEE” TO BE KNOWN AS THE “CANNABIS PROGRAM AND PERMIT REVIEW COMMITTEE” IN ORDER TO CAPTURE THE STANDING COMMITTEE’S NEW EXPANDED ROLE

WHEREAS, on November 8, 2016, California voters approved Proposition 64, also known as the Adult Use of Marijuana Act (“AUMA”), legalizing recreational use of cannabis for adults 21 years of age and older; and

WHEREAS, the California Legislature passed Senate Bill 94 in June 2017, which was signed by the Governor and went into effect immediately, and which repealed the Medical Cannabis Regulation and Safety Act (“MCRSA”), and merged certain portions of that law with AUMA to create a more comprehensive regulatory structure for both medical and recreational cannabis; and

WHEREAS, the comprehensive regulatory system created by Senate Bill 94, intended to regulate all commercial cannabis uses, is called the Medicinal and Adult Use Cannabis Regulation and Safety Act (“MAUCRSA”); and

WHEREAS, the California Bureau of Cannabis Control has promulgated and adopted regulations (“BCC Regulations”) regarding commercial cannabis uses within the state; and

WHEREAS, the City of Modesto (“City”) adopted ordinances regulating all commercial cannabis activities within the City; and

WHEREAS, pursuant to Ordinance No. 3684-C.S, Section 10-3.704(f) of the Modesto Municipal Code/Zoning Code, the City Council is authorized to establish a Cannabis Permit Review Committee; and

WHEREAS, pursuant to Section 10-3.704(f), the Council adopted Resolution No. 2021-132, establishing a three (3) member standing committee, the Cannabis Permit Review Committee, to review and approve non-storefront and non-delivery commercial cannabis permits; and

WHEREAS, in order to expand the role of the standing committee, the Council adopted Resolution No. 2022-109, rescinding City Resolution No. 2021-132 and establishing a Cannabis Program and Permit Review Committee to not only review and approve non-storefront and non-delivery commercial cannabis permits but also to make recommendations to the City Council regarding cannabis-related programs, laws, and regulations; and

WHEREAS, the City Council desires to amend the Modesto Municipal Code to reflect the Standing Committee's new name in order to capture its expanded role.

NOW, THEREFORE, the City Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT TO CHAPTER 3 OF TITLE 10. Article 7, entitled "Commercial Cannabis Uses," of the Modesto Municipal Code is hereby amended to read as follows:

10-3.704 - Application and Permit Procedures.

...

(f) Commercial Cannabis Permits.

(1) Commercial Cannabis Permits shall require City Council approval or the approval of a Cannabis **Program and** Permit Review Committee made up of three City Council members appointed by a majority of the entire Council, except with respect to Commercial Cannabis Delivery Permits, which shall be governed by Section 10-3.713. Permit applicants must meet all operator and application requirements to be considered for permit issuance by the City Council or Cannabis **Program and** Permit Review Committee.

(2) City staff shall provide notice in accordance with Section 10-9.201 at least ten (10) days prior to the City Council's or Cannabis **Program and** Permit Review Committee's consideration of the permit.

...

(4) Appeals.

(i) If a Cannabis **Program and** Permit Review Committee is appointed, applicants may appeal its decisions on Cannabis Permits to the full City Council in writing in accordance with Section 10-9.302. The City Council's decision on such appeals shall be final.

(ii) If no Cannabis **Program and** Permit Review Committee is appointed, City Council decisions on Cannabis Permits shall be final.

...

(g) Cannabis Permit Application Procedure.

(1) The City Manager, or his or her designee, may design application forms and procedures specific to each permitted license type, including online permitting, and require inspections of proposed facilities before issuing a permit under this article. Such procedures may include a request for proposal (“RFP”) process for certain license types where deemed necessary.

(2) Applications shall be reviewed by City staff or qualified consultants, as designated by the City Manager. Such review may include a scoring or ranking system. Applications failing to meet minimum qualifications or scoring requirements may not be submitted to the City Council or Cannabis **Program and** Permit Review Committee for consideration.

...

SECTION 2. SEVERABILITY.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council of the City of Modesto hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 3. CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”).

The proposed Ordinance is exempt from CEQA under the general rule in CEQA Guidelines section 15061(b)(3), that CEQA only applies to projects that have the potential for causing a significant effect on the environment.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall go into effect and be in full force and operation from and after thirty (30) days following its final passage and adoption.

SECTION 5. PUBLICATION.

At least two (2) days prior to its final adoption, copies of this Ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this Ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 2022, by Councilmember Ricci, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kenoyer, was upon roll call carried and ordered printed and published by the following vote:

AYES: Council Members: Kenoyer, Madrigal, Ricci, Wright, Zoslocki,
Mayor Zwahlen

NOES: Council Members: None

ABSENT: Council Members: Escutia-Braaton

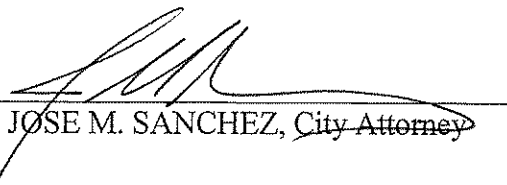
APPROVED: 
SUE ZWAHLEN, Mayor

ATTEST:

BY: 
DANA SANCHEZ, Interim City Clerk

(SEAL)

APPROVED AS TO FORM:

BY: 
JOSE M. SANCHEZ, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of March, 2022, Council Member Wright moved its final adoption, which motion being duly seconded by Council Member Kenoyer, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Council Members: Escutia-Braaton, Kenoyer, Madrigal, Ricci, Wright,
Mayor Zwahlen

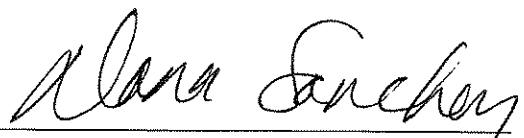
NOES: Council Members: None

ABSENT: Council Members: Zoslocki

APPROVED:


SUE ZWAHLEN, MAYOR

ATTEST:


DANA SANCHEZ, Interim City Clerk

Effective Date: April 7, 2022

ORDINANCE NO. 3743-C.S.

ORDINANCE AMENDING SECTION 2-1.18, “STANDING COMMITTEES,” OF THE MODESTO MUNICIPAL CODE TO INCLUDE THE “CANNABIS PROGRAM AND PERMIT REVIEW COMMITTEE” AS A STANDING COMMITTEE OF THE CITY

WHEREAS, on November 8, 2016, California voters approved Proposition 64, also known as the Adult Use of Marijuana Act (“AUMA”), legalizing recreational use of cannabis for adults 21 years of age and older; and

WHEREAS, the California Legislature passed Senate Bill 94 in June 2017, which was signed by the Governor and went into effect immediately, and which repealed the Medical Cannabis Regulation and Safety Act (“MCRSA”), and merged certain portions of that law with AUMA to create a more comprehensive regulatory structure for both medical and recreational cannabis; and

WHEREAS, the comprehensive regulatory system created by Senate Bill 94, intended to regulate all commercial cannabis uses, is called the Medicinal and Adult Use Cannabis Regulation and Safety Act (“MAUCRSA”); and

WHEREAS, the California Bureau of Cannabis Control has promulgated and adopted regulations (“BCC Regulations”) regarding commercial cannabis uses within the state; and

WHEREAS, the City of Modesto (“City”) adopted ordinances regulating all commercial cannabis activities within the City; and

WHEREAS, pursuant to Ordinance No. 3684-C.S, Section 10-3.704(f) of the Modesto Municipal Code/Zoning Code, the City Council is authorized to establish a Cannabis Permit Review Committee; and

WHEREAS, pursuant to Section 10-3.704(f), the Council adopted Resolution No. 2021-132, establishing a three-member standing committee, the Cannabis Permit Review Committee, to review and approve of non-storefront and non-delivery commercial cannabis permits; and

WHEREAS, in order to expand the role of the standing committee, the Council adopted Resolution No. 2022-109, rescinding Resolution No. 2021-132 and establishing a Cannabis Program and Permit Review Committee to not only review and approve non-storefront and non-delivery commercial cannabis permits but also to make recommendations to the City Council regarding cannabis-related programs, laws, and regulations; and

WHEREAS, the City Council desires to amend the Modesto Municipal Code to include the “Cannabis Program and Permit Review Committee” as a standing committee of the City under the Municipal Code.

NOW, THEREFORE, the City Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT TO CHAPTER 1 OF TITLE 2. Section 2-1.18, entitled “Standing Committees,” of the Modesto Municipal Code is hereby amended to read as follows:

2-1.18 - Standing Committees.

The standing committees of the Council shall be the Safety and Communities Committee, the Economic Development Committee, the Finance Committee, the Appointments Committee, the Audit Committee, **and the Cannabis Program and Permit Review**

Committee, each of which committees shall consist of three (3) members of the Council

appointed by the Mayor. The responsibilities of the Appointments and Audit Committee shall be to review and make recommendations for appointments to City Boards, Commissions, and Committees, and such other responsibilities established from time to time by resolution of the City Council.

SECTION 2. SEVERABILITY.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council of the City of Modesto hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 3. CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”).

The proposed Ordinance is exempt from CEQA under the general rule in CEQA Guidelines section 15061(b)(3), that CEQA only applies to projects that have the potential for causing a significant effect on the environment.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall go into effect and be in full force and operation from and after thirty (30) days following its final passage and adoption.

SECTION 5. PUBLICATION.

At least two (2) days prior to its final adoption, copies of this Ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this Ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 2022, by Councilmember Madrigal, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Ricci, was upon roll call carried and ordered printed and published by the following vote:

AYES: Council Members: Kenoyer, Madrigal, Ricci, Wright, Zoslocki,
Mayor Zwahlen

NOES: Council Members: None

ABSENT: Council Members: Escutia-Braaton

APPROVED: 
SUE ZWAHLEN, Mayor

ATTEST:

BY: 
DANA SANCHEZ, Interim City Clerk

(SEAL)

APPROVED AS TO FORM:

BY: 
JOSE M. SANCHEZ, City Attorney

FINAL ADOPTION CLAUSE

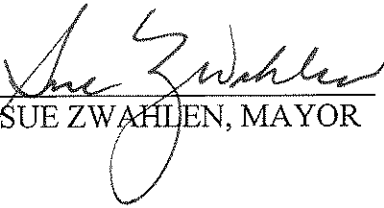
The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of March, 2022, Councilmember Ricci moved its final adoption, which motion being duly seconded by Councilmember Wright, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Council Members: Escutia-Braaton, Kenoyer, Madrigal, Ricci, Wright,
Mayor Zwahlen

NOES: Council Members: None

ABSENT: Council Members: Zoslocki

APPROVED:


SUE ZWAHLEN, MAYOR

ATTEST:


DANA SANCHEZ, Interim City Clerk

Effective Date: April 7, 2022

ORDINANCE NO. 3744-C.S.

ORDINANCE ADDING ARTICLE 7, “LOCAL HIRING PREFERENCES IN PUBLIC WORKS CONTRACTS,” AND ARTICLE 8, “UTILIZING SKILLED AND TRAINED WORKFORCE IN PUBLIC WORKS CONTRACTS,” TO TITLE 8, CHAPTER 3 OF THE MODESTO MUNICIPAL CODE

WHEREAS, the unemployment rate in the City of Modesto (“City”) has generally been higher than in the State of California as a whole. The average unemployment rate in the City between 2018 and 2021 was 7.66%. During the same time period, the average annual unemployment rate for the State of California as a whole was 6.69%; and

WHEREAS, the City has determined that expanding the employment base by implementing a local hiring preference in Public Works Contracts within the City and Stanislaus County will benefit the region as a whole; and

WHEREAS, the City has determined that it is in the public interest and welfare to add Article 7 to Chapter 3 of Title 8 of the Modesto Municipal Code; and

WHEREAS, the City has determined that Public Works Contracts utilizing a skilled and trained workforce will result in a higher quality work product; and

WHEREAS, the City has determined that it is in the public interest and welfare to add Article 8 to Chapter 3 of Title 8 of the Modesto Municipal Code.

NOW, THEREFORE, the City Council of the City of Modesto does ordain as

follows: **SECTION 1. FINDINGS**

The City Council of the City of Modesto finds that all of the above Recitals and within this Ordinance are true and correct and incorporated herein by reference.

SECTION 2. ADDITIONS

1. The City of Modesto Municipal Code Title 8 Chapter 3 is hereby amended by adding ARTICLE 7 entitled “Local Hiring Preferences in Public Works Contracts” in its entirety to read as follows:

Article 7 – Local Hiring Preferences in Public Works Contracts

8-3.701 – Findings and Purpose

- (a) The City Council finds and declares as follows:
 - (1) The unemployment rate in the City has generally been higher than in the State of California as a whole. The average annual unemployment rate in the City between 2018 and 2021 was 7.66%. During the same time period, the average annual unemployment rate for the State of California as a whole was 6.69%.
 - (2) Statistics indicate that the City’s higher unemployment rate correlates to a higher number of families living in poverty and to a higher crime rate.
 - (3) Expanding the employment base by implementing a local hiring preference in Public Works Contracts within the City and Stanislaus County will benefit the region as a whole.
 - (4) The City spends significant amounts in contracting for services and in constructing improvements to real property or to existing facilities. The funds used in contracting for those services are derived, in part, from taxes, fees, and other revenues of local businesses in the City. To the extent possible, such funds should be placed back into the local economy.

- (5) The construction industry is a potential path to stable employment and is, therefore, a critical opportunity to connect residents with economic opportunities.
 - (6) A local hiring preference in Public Works Contracts will aim to provide job opportunities to City and Stanislaus County residents, expand the region's employment base, lessen the drain on public assistance resources, and reduce the City workforce's pattern of commuting outside the region for employment.
- (b) The purpose of this Article is to improve the local economy by:
- (1) Increasing the local workforce base by decreasing unemployment and thereby enhancing and retaining job skills; and
 - (2) Increasing local spending power, which will result in a stronger, more self-reliant economy.

8-3.702 – Exclusions and Exceptions

The provisions of this Article shall not apply under any of the following circumstances:

- (a) When a state or federal law or regulation applicable to a particular Public Works Contract prohibits a local hiring requirement;
- (b) When a particular Public Works Contract utilizes grant funding, where the conditions of the grant prohibit a local hiring requirement;
- (c) When the City, in its sole discretion, determines that a contract is necessary to respond to any emergency which endangers the public health, safety, or welfare;

- (d) When the City, in its sole discretion, determines that a suitable pool of Qualified Individuals who are Local Residents does not exist for a specific Public Works Contract; and/or
- (e) When the estimated cost of the construction of the Public Works Contract is less than \$500,000.

8-3.703 – Definitions

Except as otherwise expressly set forth herein, the following words and terms as used in this Article shall have the following meanings:

- (a) “Construction Work Hours” means the total hours worked on a Public Works Contract by qualified individuals, whether those individuals are employed by a Contractor or Subcontractor.
- (b) “Contractor” means any of the following:
 - (1) Any person or entity who submits a bid as the prime entity to the City for a Public Works Contract.
 - (2) Any person or entity who provides labor and/or materials for the City pursuant to a Public Works Contract.
- (c) “City” means the City of Modesto, California.
- (d) “Days” means calendar days unless otherwise specified.
- (e) “Local Resident” means an individual who is legally domiciled, as defined by Elections Code section 349(b), in Stanislaus County immediately preceding the date of the notice of solicitation or bid advertisement by the City. An individual’s domicile is his or her one and only true, fixed, and permanent home and principal establishment. An individual shall verify his or her domicile upon request of the

Contractor or City by producing satisfactory documentation such as a rent/lease agreement, utility bills, a valid state-issued driver's license or identification card, or any other similar and reliable evidence.

- (f) "Public Works Contract" has the same meaning as set forth in Section 1307 of the City Charter, as amended or supplanted.
- (g) "Qualified Individuals" means any and all skilled and unskilled workers, including but not limited to, work site foremen, journeymen, technical engineers, apprentices, construction trainees, and construction helpers. Qualified Individuals also include any and all other workers appropriate for construction activities regardless of level of skill.
- (h) "Subcontractor(s)" means any person or entity that assumes, by secondary contract, some or all of the obligations of a Contractor.

8-3.704 – Requirements for Contractors

- (a) Every Contractor submitting a bid to the City for a Public Works Contract shall agree to make a good faith effort to hire Qualified Individuals who are Local Residents in sufficient numbers so that, with respect to such Public Works Contract, no less than 25% of the total construction workforce, including the Subcontractor workforce, measured in Construction Work Hours, is comprised of Local Residents.
- (b) A "good faith effort" means a Contractor will take all of the following or similar actions to recruit and maintain Local Residents as part of the construction workforce:

- (1) Contact local recruitment sources to identify Qualified Individuals who are Local Residents;
 - (2) Advertise for Qualified Individuals who are Local Residents in trade papers and newspapers of general circulation within the City and the County of Stanislaus, or by equivalent electronic means, unless time limits imposed under the applicable Public Works Contract relative to the commencement and/or completion of work do not permit such advertising; and
 - (3) With respect to any portion of a Public Works Contract to be performed by a Subcontractor, identify Subcontractors whose workforce includes Qualified Individuals who are Local Residents.
- (c) Every Contractor shall complete and sign, under penalty of perjury, a certification of good faith effort to hire Local Residents, on the form provided in the City's bid package, and shall submit the same with its sealed bid no later than the date and time of the bid opening.
- (d) A Contractor shall include in each and every subcontract relating to a Public Works Contract, a provision whereby the Subcontractor agrees to make a good faith effort to hire Qualified Individuals who are Local Residents. A Contractor shall be responsible for a Subcontractor's compliance with the provisions of this Article.
- (e) The City Purchasing Manager, or his or her designee, shall prescribe rules, regulations, and procedures relating to the application, administration, and interpretation of the provisions of this Section. Such rules, regulations, and

procedures shall be consistent with the provisions of this Section and may specify details and forms to be used.

- (f) If in the sole discretion of the City, the City finds that a Contractor has failed to make a good faith effort to use Local Residents in the course of performance of any applicable Public Works Contract pursuant to the requirements of this Article, the City may deem the Contractor in breach of contract. In the alternative of any other available legal remedies, the City may require that Contractor to develop a written plan to recruit Qualified Individuals who are Local Residents as a method of complying with the requirements of this Article. If the Contractor fails to comply with a written plan described by this Section, the City may, at its sole discretion, deem the Contractor non-responsible in the evaluation of future Public Works Contract bid opportunities.

8-3.705 – Hiring Discretion

This Article does not limit the Contractor’s or the Subcontractor’s ability to assess the qualifications of prospective workers, and to make final hiring and retention decisions. No provision of this Article shall be interpreted so as to require a Contractor or Subcontractor to employ a worker not qualified for a position in question, or to employ any particular worker.

8-3.706 – Nonresponsive Bids

- (a) Nothing in this Article alters the City’s obligation to award a contract to the lowest bidder. The City may declare a bid to be nonresponsive under the provisions of this Article for good cause including, but not limited to, the following circumstances:

- (1) If a Contractor fails to complete and sign, under penalty of perjury, the certificate of good faith effort to hire Local Residents and/or fails to submit the same with its sealed bid no later than the date and time of bid opening; or
- (2) If a Contractor, or a Subcontractor listed by a Contractor, fails to comply with the good faith effort requirements set forth in 8-3.703.

8-3.707 – Required Documentation

During its performance of a Public Works Contract, a Contractor shall keep an accurate record on a standardized form showing the name, place, of residence, trade classification, hours employed, proof of a Qualified Individual status, per diem wages and benefits, or each person employed by the Contractor on the specific public works project, including full-time, part-time, permanent and temporary employees. A Contractor shall require each Subcontractor performing work pursuant to a Public Works Contract awarded by the City to the Contractor to maintain records of the same information for the Subcontractor's workforce and shall require each Subcontractor to provide a copy of such records to the Contractor upon the Contractor's request. A Contractor shall make the records and documents set forth in this Section available to the City, upon request, within five (5) business days.

8-3.708 – Forms Submitted Under Penalty of Perjury

All forms required under this Article shall be attested to as true as to the information set forth therein and shall be submitted under penalty of perjury.

8-3.709 – Monitoring

From time to time, and at its sole discretion, the City may monitor and investigate the compliance of any Contractor and/or Subcontractor with respect to the requirements of this Article. The City shall have the right to engage in random inspections of job sites, subject to the construction schedule and safety concerns. Each Contractor and Subcontractor shall allow representatives of the City, in the performance of their duties, to engage in random inspections of job sites and to have access to the employees of the Contractor and Subcontractor and the records required to document compliance with this Article. The City shall establish a procedure for City monitoring of compliance with this Article and to address allegations of noncompliance. The City shall have sole authority over the administration of this Article.

2. The City of Modesto Municipal Code Title 8 Chapter 3 is hereby amended by adding ARTICLE 8 entitled “Utilizing Skilled and Trained Workforce in Public Works Contracts” in its entirety to read as follows:

Article 8 – Utilizing Skilled and Trained Workforce in Public Works Contracts

8-3.801 – Findings and Purpose

- (a) The City Council finds and declares as follows: The purpose of this Article is to improve the quality of public works projects undertaken in the City by:
- (1) Increasing the percentage of individuals utilized in Public Works Contracts meeting the definition of a skilled and trained workforce.
 - (2) Utilizing a greater percentage of skilled and trained workforce will increase the quality of public works projects completed in the City because the workforce is more experienced and qualified to perform such work.

8-3.802 – Exclusions and Exceptions

The provisions of this Article shall not apply under any of the following circumstances:

- (a) When a state or federal law or regulation applicable to a particular Public Works Contract prohibits a skilled and trained workforce requirement;
- (b) When a particular Public Works Contract utilizes grant funding, where the conditions of the grant prohibit a skilled and trained workforce requirement;
- (c) When the City determines that a contract is necessary to respond to any emergency which endangers the public health, safety, or welfare;
- (d) When the City, in its sole discretion, determines that a suitable pool of Qualified Individuals who meet skilled and trained workforce requirements does not exist for a specific Public Works Contract.
- (e) When the estimated cost of the construction of the Public Works Contract is less than \$500,000; and/or
- (f) When a Public Works Project is governed by a particular State law or regulation prescribing skilled and trained workforce requirements inconsistent with this Article.

8-3.803 – Definitions

Except as otherwise expressly set forth herein, the following words and terms as used in this Article shall have the following meanings:

- (a) “Apprenticeable occupation” means an occupation for which the Chief of the Division of Apprenticeship Standards of the Department of Industrial Relations had approved an apprenticeship program pursuant to Section 3075 of the Labor code before January 1, 2014.

- (b) “Construction Work Hours” means the total hours worked on a public works contract by qualified individuals, whether those individuals are employed by a Contractor or Subcontractor.
- (c) “Contractor” means any of the following:
 - (1) Any person or entity who submits a bid as the prime entity to the City for a Public Works Contract.
 - (2) Any person or entity who provides labor and/or materials for the City pursuant to a Public Works Contract.
- (d) “City” means the City of Modesto, California.
- (e) “Days” means calendar days unless otherwise specified.
- (f) “Public Works Contract” has the same meaning as set forth in Section 1307 of the City Charter, as amended or supplanted.
- (g) “Qualified Individuals” means any and all skilled and trained workers, including but not limited to, work site foremen, journeymen, technical engineers, apprentices, construction trainees, and construction helpers. Qualified Individuals also include any and all other workers appropriate for construction activities regardless of level of skill.
- (h) “Skilled and trained workforce” means a workforce that meets all of the following conditions:
 - (1) All the workers performing work in an apprenticable occupation in the building and construction trades are either skilled journeypersons or apprentices registered in an apprenticeship program approved by the Chief

of the Division of Apprenticeship Standards of the Department of Industrial Relations.

- (2) At least 60% of the skilled journeypersons employed to perform work on the contract or project by every Contractor and each of its Subcontractors at every tier are graduates of an apprenticeship program for the applicable occupation. This requirement shall not apply to the following occupations: acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher.
- (3) For the occupations exempted from the requirements of Paragraph 2 of this Section (definition of “skilled and trained workforce”), at least 30% of the skilled journeypersons employed to perform work on the contract or project by every Contractor and each of its Subcontractors at every tier must be graduates of an apprenticeship program for the applicable occupation.
 - (i) “Skilled journeyperson” means a worker who either:
 - (1) Graduated from an apprenticeship program for the applicable occupation that was approved by the Chief of the Division of Apprenticeship Standards of the Department of Industrial Relations or located outside California and approved for federal purposes pursuant to the apprenticeship regulations adopted by the federal Secretary of Labor.

- (2) Has at least as many hours of on-the-job experience in the applicable occupation as would be required to graduate from an apprenticeship program for the applicable occupation that is approved by the Chief of the Division of Apprenticeship Standards of the Department of Industrial Relations.
- (j) “Subcontractor(s)” means any person or entity that assumes, by secondary contract, some or all of the obligations of a Contractor.

8-3.804 – Requirements for Contractors

- (a) Each Contractor and Subcontractor that performs work on a Public Works Contract shall make a good faith effort to employ a skilled and trained workforce, pursuant to California Public Contract Code § 2601, to perform all work on the project that falls within an Apprenticable Occupation in the building and construction trades, as defined by California Public Contract Code § 2601.
- (b) Each Contractor and Subcontractor that performs work on a Public Works Contract shall make a good faith effort to use graduates of an apprenticeship program as defined by Public Contract Code § 2601(c), in the percentages required by Section 8-3.803(i) of this Article.
- (c) A “good faith effort” means a Contractor will take all of the following or similar actions to recruit and maintain skilled and trained workforce in the performance of any Public Works Contract meeting the requirements of this Article:
 - (1) Contact recruitment sources to identify Qualified Individuals;
 - (2) Advertise for Qualified Individuals in trade papers and newspapers of general circulation within the City and the County of Stanislaus, or by

equivalent electronic means, unless time limits imposed under the applicable Public Works Contract relative to the commencement and/or completion of work do not permit such advertising; and

- (3) With respect to any portion of a Public Works Contract to be performed by a Subcontractor, identify Subcontractors whose workforce includes Qualified Individuals.
- (d) Each Contractor shall certify that it made a good faith effort to use a skilled and trained workforce, on the form provided in the City's bid package, and shall submit the same with its sealed bid no later than the date and time of the bid opening.
- (e) Each Contractor shall include in each and every subcontract relating to a Public Works Contract, a provision requiring the Subcontractor to certify that it made a good faith effort to use a skilled and trained workforce in that contract. Each Contractor shall be responsible for a Subcontractor's compliance with the requirements of this Article.
- (f) Failure of any Contractor or Subcontractor to comply with any requirement of this Article may be deemed, in the sole discretion of the City, a material breach of the Public Works Contract.

8-3.805 – Hiring Discretion

This Article does not limit the Contractor's or the Subcontractor's ability to assess the qualifications of prospective workers, and to make final hiring and retention decisions.

No provision of this Article shall be interpreted so as to require a Contractor or

Subcontractor to employ a worker not qualified for a position in question, or to employ any particular worker.

8-3.806 – Nonresponsive Bids

(a) Nothing in this Article alters the City’s obligation to award a contract to the lowest bidder. The City may declare a bid to be nonresponsive under the provisions of this Article for good cause including, but not limited to, the following circumstances:

- (1) If a Contractor fails to complete and sign, under penalty of perjury, the certification that the Contractor made a good faith effort to use a skilled and trained workforce and/or fails to submit the same with its sealed bid no later than the date and time of bid opening; or
- (2) If a Contractor, or a Subcontractor listed by a Contractor, fails to comply with the requirements set forth in 8-3.804.

8-3.807 – Required Documentation

For three (3) years following substantial completion of any Public Works Contract, each Contractor and Subcontractor shall keep accurate payroll records, showing the name, address, and work classification for each worker who worked on the project; the straight time and overtime hours worked each day and week; whether the worker qualifies as a skilled journeyman under California Public Contract Code § 2601; and whether the worker is a graduate of an apprenticeship program in the applicable occupation. These records shall be made available upon request by officers and agents of the City. Records shall be made available no later than ten (10) days subsequent to the request.

8-3.808 – Forms Submitted Under Penalty of Perjury

All forms required under this Article shall be attested to as true as to the information set forth therein and shall be submitted under penalty of perjury.

8-3.809 – Monitoring

From time to time, and at its sole discretion, the City may monitor and investigate compliance of any Contractor and/or Subcontractor with respect to the requirements of this Article. The City shall have the right to engage in random inspections of job sites, subject to the construction schedule and safety concerns. Each Contractor and Subcontractor shall allow representatives of the City, in the performance of their duties, to engage in random inspections of job sites and to have access to the employees of the Contractor and Subcontractor and the records required to document compliance with this Article. The City shall establish a procedure for City monitoring of compliance with this Article and to address allegations of noncompliance. Within sixty (60) days of Contractor completing all substantial work associated with a Public Works Contract pursuant to this Article, Contractor shall submit documentation as set forth in Section 8-3.807 in a form acceptable to the City. The City shall have sole authority over the administration of this Article.

8-3.810 – City’s Remedies

If in the sole discretion of the City, the City finds that a Contractor has failed to make a good faith effort to use a skilled and trained workforce in the course of performance of any applicable Public Works Contract pursuant to the requirements of this Article, the City may deem the Contractor in breach of contract. In the alternative of any other available legal remedies, the City may require that Contractor to develop a written plan to recruit qualified individuals as a method of complying with the requirements of this

Article. If the Contractor fails to comply with a written plan described by this Section, the City may, at its sole discretion, deem the Contractor non-responsible in the evaluation of future Public Works Contract bid opportunities.

SECTION 3. SEVERABILITY.

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application any other person or circumstance. The City Council or the City of Modesto hereby declares that it would have adopted each section, sentence, clause, or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of this Ordinance be declared invalid, unenforceable or unconstitutional.

SECTION 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)

The City Council hereby finds that the adoption of this Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) of the State CEQA Guidelines.

Specifically, this Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment because it does not authorize the construction of any new structures or other physical changes to the environment.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 6. PUBLICATION.

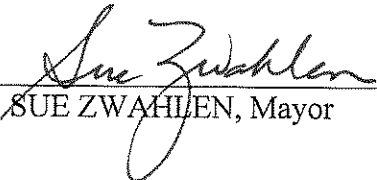
At least two (2) days prior to its final adoption, copies of this Ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in the Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this Ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 2022, by Councilmember Madrigal, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Ricci, was upon roll call carried and ordered printed and published by the following vote:

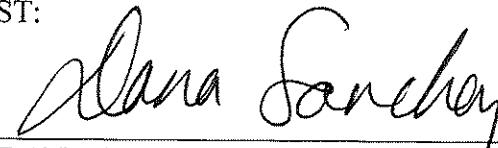
AYES: Council Members: Madrigal, Ricci, Zoslocki, Mayor Zwahlen

NOES: Council Members: Kenoyer, Wright,

ABSENT: Council Members: Escutia-Braaton

APPROVED: 
SUE ZWAHLEN, Mayor

ATTEST:

BY: 
DANA SANCHEZ, Interim City Clerk

(SEAL)

APPROVED AS TO FORM:

BY: 
JOSE M. SANCHEZ, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of March, 2022, Councilmember Madrigal moved its final adoption, which motion being duly seconded by Councilmember Ricci, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Council Members: Escutia-Braaton, Madrigal, Ricci, Zoslocki,
Mayor Zwahlen

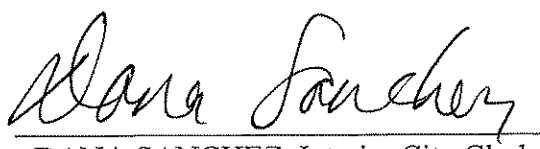
NOES: Council Members: Kenoyer, Wright,

ABSENT: Council Members: None

APPROVED:


SUE ZWAHLEN, MAYOR

ATTEST:


DANA SANCHEZ, Interim City Clerk

Effective Date: April 7, 2022

ORDINANCE NO. 3745-C.S.

ORDINANCE APPROVING THE MODESTO POLICE DEPARTMENT MILITARY EQUIPMENT USE POLICY 710

WHEREAS, the Modesto Police Department is committed to using the most up-to-date tools and equipment to safeguard the residents of Modesto; and

WHEREAS, Assembly Bill 481 (AB 481), codified at Government Code sections 7070 through 7075 requires a law enforcement agency to obtain approval from the applicable governing body, via adoption of a “military equipment” use policy by ordinance, prior to funding, acquiring, or using military equipment; and

WHEREAS, items deemed to be “military equipment” by AB 481 are used as a component of overall best practices for law enforcement agencies (LEAs) throughout the country; and

WHEREAS, the term “military equipment”, as used in AB 481, in fact does not necessarily indicate equipment that has been used by the military; and

WHEREAS, pursuant to AB 481, items deemed to be “military equipment” include, but are not limited to, unmanned aerial or ground vehicles, armored vehicles, command and control vehicles, pepper balls, less lethal shotguns, less lethal 40mm projectile launchers, and flashbangs; and

WHEREAS, these items provide peace officers with the ability to safely resolve volatile situations which otherwise might rise to the level of a lethal force encounter; and

WHEREAS, this policy outlines each item identified in Government Code section 7070, that is currently owned by MPD and the City of Modesto and also includes the current use and cost of each item; and

WHEREAS, these particular items have been in place prior to the implementation of AB 481 and any future acquisitions of any item deemed to be “military equipment” will require policy update and Council approval.

NOW, THEREFORE, the City Council of the City of Modesto does ordain as follows:

SECTION 1. FINDINGS

The City Council of the City of Modesto finds that all of the above Recitals and within this Ordinance are true and correct and incorporated herein by reference. The City Council hereby approves the Modesto Police Department Military Equipment Use Policy 710, attached hereto.

SECTION 2. SEVERABILITY.

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application any other person or circumstance. The City Council or the City of Modesto hereby declares that it would have adopted each section, sentence, clause, or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of this Ordinance be declared invalid, unenforceable or unconstitutional.

SECTION 3. CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)

The City Council hereby finds that the adoption of this Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) of the State CEQA Guidelines. Specifically, this Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment because it does not authorize the construction of any new structures or other physical changes to the environment.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION.

At least two (2) days prior to its final adoption, copies of this Ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in the Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this Ordinance, the date of its introduction and the places where this ordinance is posted.


The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 2022, by Councilmember Wright, who moved its introduction and passage to print, which motion being duly seconded by Mayor Zwahlen, was upon roll call carried and ordered printed and published by the following vote:

AYES: Council Members: Kenoyer, Madrigal, Ricci, Wright, Mayor Zwahlen

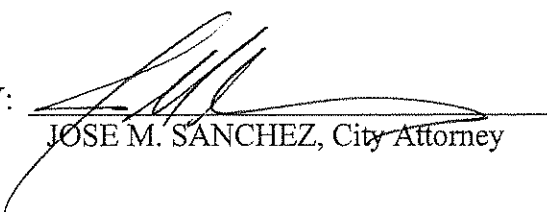
NOES: Council Members: None

ABSENT: Council Members: Escutia-Braaton

APPROVED: 
SUE ZWAHLEN, Mayor

ATTEST:

BY: DIANE NAYA-PEREZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY: JOSE M. SANCHEZ, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10th day of May, 2022, Councilmember Kenoyer moved its final adoption, which motion being duly seconded by Councilmember Wright, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Council Members: Escutia-Braaton, Kenoyer, Madrigal, Ricci, Wright,
Mayor Zwahlen

NOES: Council Members: None

ABSENT: Council Members: None

APPROVED:


SUE ZWAHLEN, MAYOR

ATTEST:


DIANE NAYARES-PEREZ, City Clerk

Effective Date: June 9, 2022