

**MODESTO CITY COUNCIL
RESOLUTION NO. 2016-449**

**RESOLUTION ACCEPTING THE RESIGNATION OF KENT FAULKNER FROM
THE CITY OF MODESTO LANDMARK PRESERVATION COMMISSION**

WHEREAS, Kent Faulkner was appointed to serve as a member of the Landmark Preservation Commission (LPC) on May 27, 2014, and

WHEREAS, Kent Faulkner has tendered his resignation from the LPC.

NOW, THEREFORE, BE IT RESOLVED that the resignation of Kent Faulkner from the LPC be, and hereby is accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 2016, by Councilmember Kenoyer, 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. 2016-450**

**RESOLUTION APPOINTING SAMUEL GONZALEZ TO THE CITY OF
MODESTO LANDMARK PRESERVATION COMMISSION**

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

WHEREAS, the Appointments Committee met on October 13, 2016 and recommended appointment of Samuel Gonzales to the Modesto Landmark Preservation Commission.

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

SECTION 1. Samuel Gonzalez is hereby appointed to the Modesto Landmark Preservation Commission with a term expiration of January 1, 2021.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the appointed member of the Modesto Landmark Preservation Commission, and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 2016, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, was upon roll call carried and the resolution adopted by the following vote:

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


NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2016-451**

**RESOLUTION APPOINTING DAVID RODDICK TO THE CITY OF MODESTO
LANDMARK PRESERVATION COMMISSION**

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

WHEREAS, the Appointments Committee met on October 13, 2016 and recommended appointment of David Roddick to the Modesto Landmark Preservation Commission.

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

SECTION 1. David Roddick is hereby appointed to the Modesto Landmark Preservation Commission with a term expiration of January 1, 2021.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the appointed member of the Modesto Landmark Preservation Commission, and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 2016, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, was upon roll call carried and the resolution adopted by the following vote:

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

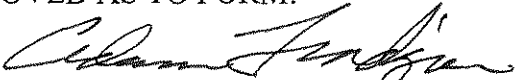
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2016-452**

**RESOLUTION APPOINTING JONATHON BRUNO TO THE CITY OF
MODESTO LANDMARK PRESERVATION COMMISSION**

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

WHEREAS, the Appointments Committee met on October 13, 2016 and recommended appointment of Jonathon Bruno to the Modesto Landmark Preservation Commission.

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

SECTION 1. Jonathon Bruno is hereby appointed to the Modesto Landmark Preservation Commission with a term expiration of January 1, 2021.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the appointed member of the Modesto Landmark Preservation Commission, and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 2016, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2016-453**

**RESOLUTION APPOINTING GARY BLOM TO THE CITY OF MODESTO
BOARD OF ZONING ADJUSTMENT**

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

WHEREAS, the Appointments Committee met on October 13, 2016 and recommended appointment of Gary Blom to the Modesto Board of Zoning Adjustment.

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

SECTION 1. Gary Blom is hereby appointed to the Modesto Board of Zoning Adjustment with a term expiration of January 1, 2021.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the appointed member of the Modesto Board of Zoning Adjustment, and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 2016, by Councilmember Grewal, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

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

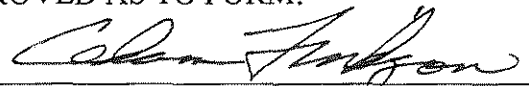
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2016-454**

**RESOLUTION APPOINTING MIKE MORADIAN TO THE CITY OF
MODESTO BOARD OF ZONING ADJUSTMENT**

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

WHEREAS, the Appointments Committee met on October 13, 2016 and recommended appointment of Mike Moradian to the Modesto Board of Zoning Adjustment.

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

SECTION 1. Mike Moradian is hereby appointed to the Modesto Board of Zoning Adjustment with a term expiration of January 1, 2021.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the appointed member of the Modesto Board of Zoning Adjustment, and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 2016, by Councilmember Grewal, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2016-455**

**RESOLUTION REAPPOINTING ROBERT SELOVER TO THE CITY OF
MODESTO BOARD OF ZONING ADJUSTMENT**

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

WHEREAS, the Appointments Committee met on October 13, 2016 and recommended reappointment of Robert Selover to the Modesto Board of Zoning Adjustment.

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

SECTION 1. Robert Selover is hereby reappointed to the Modesto Board of Zoning Adjustment with a term expiration of January 1, 2021.

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the appointed member of the Modesto Board of Zoning Adjustment, and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 2016, by Councilmember Grewal, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2016-456**

**RESOLUTION APPROVING THE APPOINTMENT OF TIM FISHER TO THE
MODESTO CITY-COUNTY AIRPORT ADVISORY COMMITTEE (AAC) AS A
PUBLIC AT LARGE MEMBER FOR A TWO YEAR TERM**

WHEREAS, the City of Modesto operates the Modesto City-County Airport (Airport) for the benefit of all businesses, industries, visitors and residents in the City of Modesto, Stanislaus County and surrounding areas, and

WHEREAS, the Modesto City Council and the Stanislaus Board of Supervisors seek to ensure that the Airport is maintained and developed in such a manner that it will continue to be a high quality aviation facility for its users and a good neighbor in the community, recognizing that both the users and community may change as the surrounding area continues to grow and develop, and

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, Council has considered the experience and qualifications of the candidate, Tim Fisher, and finds that he would be appropriate to fill the position of the Public At Large member of the AAC.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the appointment of Tim Fisher to fill the position on the Modesto City-County Airport Advisory Committee (AAC), as a Public At Large member for a term of two years.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 2016, by Councilmember Ridenour, who moved its adoption, which motion being duly seconded by Councilmember Kenoyer, was upon roll call carried and the resolution adopted by the following vote:

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

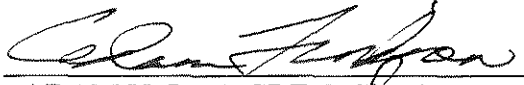
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2016-457**

**RESOLUTION APPROVING AN INCREASE IN THE MINOR HOME REPAIR
GRANT FOR RICHARD & MARCELLA BARROWS, FOR PROPERTY
LOCATED 1914 KLEMM, MODESTO, CALIFORNIA, IN THE AMOUNT OF
\$2,960, TO COVER CHANGE ORDER EXPENSES INCURRED**

WHEREAS, on July 22, 2015, Richard & Marcella Barrows (Homeowners) were awarded a \$5,000 Energy Efficiency Improvement Grant and a \$2,000 Minor Home Repair Grant, and

WHEREAS, the grants were awarded to Homeowners to replace doors, and windows, and

WHEREAS, during the course of the repairs, the Homeowners' HVAC unit failed, leaving the Homeowners without air conditioning, which is considered a health and safety issue, and

WHEREAS, this is a unique situation wherein a health and safety issue arose during the course of the project and the additional work necessary to correct the health and safety issue exceeded the grant authority of staff., and

WHEREAS, the City Council has the authority to approve a grant in excess of staff approval thresholds, and

WHEREAS, staff is requesting the MHRP Grant be increased from \$2,000 to \$4,960, to pay for the health and safety related work that arose during the course of the project, and

WHEREAS, the work has been completed and the contractor is awaiting payment,

NOW, THEREFORE, BE IT RESOLVED, that the Modesto City Council hereby approves an increase in the Minor Home Repair Grant for Richard & Marcella Barrows, for property located at 1914 Klemm, Modesto, California, in the amount of \$2,960, to cover change orders expenses incurred during work related to repair of the HVAC unit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 2016, by Councilmember Madrigal, who moved its adoption, which motion being duly seconded by Councilmember Ridenour, was upon roll call carried and the resolution adopted by the following vote:

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

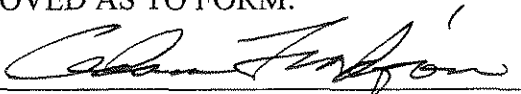
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2016-458**

**RESOLUTION AMENDING THE FISCAL YEAR 2016-17 ANNUAL
OPERATING BUDGET TO REFLECT AN INCREASE IN THE MINOR HOME
REPAIR GRANT FOR RICHARD & MARCELLA BARROWS, FOR
PROPERTY LOCATED 1914 KLEMM, MODESTO, CALIFORNIA, IN THE
AMOUNT OF \$2,960, AND AUTHORIZING THE FINANCE DIRECTOR, OR
HER DESIGNEE, TO TAKE THE NECESSARY STEPS TO IMPLEMENT THE
PROVISIONS OF THIS RESOLUTION**

WHEREAS, on July 22, 2015, Richard & Marcella Barrows (Homeowners) were awarded a \$5,000 Energy Efficiency Improvement Grant and a \$2,000 Minor Home Repair Grant, and

WHEREAS, the grants were awarded to Homeowners to replace doors, windows, and to repair HVAC related items for property located at 1914 Klemm, Modesto, California, and

WHEREAS, during the course of the work, additional costs were incurred related to the HVAC unit and a change order, in the amount of \$2,960 was issued, to allow the additional work to be performed, and

WHEREAS, an increase in the Minor Home Repair Grant, in the amount of \$2,960, is needed to cover the change orders incurred during work related to repair of the HVAC unit, and

WHEREAS, Community Development Block Grant funds will be re-appropriated from an Appropriation C budget level to a specific Activity, to be assigned to this project in Integrated Disbursement and Information System,


NOW, THEREFORE, BE IT RESOLVED, that the Modesto City Council hereby approves that the Director of Finance, or her designee, is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 2016, by Councilmember Madrigal, who moved its adoption, which motion being duly seconded by Councilmember Ridenour, 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. 2016-459**

**RESOLUTION CLAIMING FISCAL YEAR 2015-2016 UNCLAIMED FUNDS
HELD IN THE CITY'S TRUST FUND FOR MORE THAN THREE YEARS AND
AUTHORIZING THE TRANSFER TO THE GENERAL FUND**

WHEREAS, the City issues checks from time to time that remain uncashed the payee, and such checks that are not cashed remain in the accounting records as Outstanding Checks; and

WHEREAS, California Government Code Sections 50050-50053 and 50055 establishes provisions for the escheatment of such unclaimed money to the City's General Fund; and

WHEREAS, State law requires unclaimed funds in the amount of \$15 or more, held in the city's Trust fund, be published in a newspaper of general circulation in the City of Modesto, for two successive weeks; and

WHEREAS, after a forty-five day period from the date of the first publication any funds that are not claimed become the property of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves \$63,085 in Fiscal Year 2015-2016 unclaimed funds to be transferred to the General Fund.

BE IT FURTHER RESOLVED that the Deputy City Manager, or his designee, is hereby authorized to take the necessary steps to implement the provisions of this Resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 2016, by Councilmember Madrigal, who moved its adoption, which motion being duly seconded by Councilmember Ridenour, was upon roll call carried and the resolution adopted by the following votes:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2016-460**

**RESOLUTION TO CLAIM FISCAL YEAR 2014-2015 UNCLAIMED FUNDS
HELD IN THE CITY'S TRUST FUND FOR MORE THAN THREE YEARS AND
AUTHORIZING THE TRANSFER TO THE CITY'S GENERAL FUND**

WHEREAS, the City issues checks from time to time that remain uncashed the payee, and such checks that are not cashed remain in the accounting records as Outstanding Checks; and

WHEREAS, California Government Code Sections 50050-50053 and 50055 establishes provisions for the escheatment of such unclaimed money to the City's General Fund; and

WHEREAS, State law requires unclaimed funds in the amount of \$15 or more, held in the city's Trust fund, be published in a newspaper of general circulation in the City of Modesto, for two successive weeks; and

WHEREAS, after a forty-five day period from the date of the first publication any funds that are not claimed become the property of the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves \$15,181.20 in Fiscal Year 2014-2015 unclaimed funds to be transferred to the General Fund.

BE IT FURTHER RESOLVED that the Deputy City Manager, or his designee, is hereby authorized to take the necessary steps to implement the provisions of this Resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 2016, by Councilmember Madrigal, who moved its adoption, which motion being duly seconded by Councilmember Ridenour, was upon roll call carried and the resolution adopted by the following votes:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2016-461**

RESOLUTION APPROVING SUBMITTAL OF AN APPLICATION FOR THE FISCAL YEAR 2016 ASSISTANCE TO FIREFIGHTERS GRANT IN THE AMOUNT OF \$95,000 FOR THE PROCUREMENT OF PERSONAL PROTECTIVE EQUIPMENT EXTRACTORS (WASHERS) AND DRYERS AS WELL AS THE FACILITY IMPROVEMENTS NECESSARY TO ACCOMMODATE THE EQUIPMENT AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE ALL GRANT-RELATED DOCUMENTS

WHEREAS, the Department of Homeland Security (DHS), Federal Emergency Management Agency's (FEMA) Grants Program Directorate implements and administers the Assistance to Firefighters Grant (AFG) program, and

WHEREAS, the purpose of the AFG program is to enhance the safety of the public and firefighters with respect to fire and fire-related hazards by providing direct financial assistance to eligible fire departments for critically needed resources to equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience, and

WHEREAS, the Modesto Fire Department is seeking authorization to submit a grant application for the FY 2016 Assistance to Firefighters Grant in the amount of \$95,000 for the procurement of personal protective equipment extractors (washers) and dryers as well as the facility improvements necessary to accommodate the equipment, and

WHEREAS, the firefighting environment is a hazardous one and modern structures contain many contaminants, toxic substances and known carcinogens, and

WHEREAS, clean and decontaminated turnout PPE is a very real safety issue and one the Modesto Fire Department takes seriously, and

WHEREAS, staff recommends submittal of the FY 2016 AFG application requesting funding in the amount of \$95,000 for the procurement of personal protective equipment extractors (washers) and dryers as well as the facility improvements necessary to accommodate the equipment and will return to the Council for approval should the grant be awarded.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the submittal of an application for the FY 2016 Assistance to Firefighters Grant in the amount of \$95,000 for the procurement of personal protective equipment extractors (washers) and dryers as well as the facility improvements necessary to accommodate the equipment.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute all grant-related documents.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 8th day of November, 2016, by Councilmember Madrigal, who moved its adoption, which motion being duly seconded by Councilmember Ridenour, was upon roll call carried and the resolution adopted by the following votes:

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

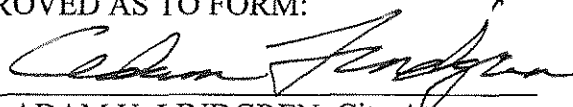
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2016-462**

RESOLUTION APPROVING A WATER RATE ASSISTANCE PROGRAM FOR WATER CUSTOMERS, IN AN AMOUNT UP TO \$1,000,000 ANNUAL FUNDING LEVEL, FOR UP TO 8,333 INCOME-QUALIFIED ACCOUNTS, FUNDED BY DELINQUENCY CHARGES FOR WATER SERVICE

WHEREAS, on August 9, 2016, Council adopted new water rates and directed Utilities Department staff to review and evaluate opportunities to provide financial assistance to customers demonstrating financial hardship, and

WHEREAS, staff has identified \$1,000,000 annually to fund a Water Rate Assistance (WRA) Program, and

WHEREAS, at the proposed funding level, up to 8,333 income-qualified accounts may benefit from the WRA Program, and

WHEREAS, the source of funding for the WRA Program will be revenue collected by the City Utility Billing and Collections Division as various forms of delinquency charges, adopted by Resolution No. 2014-79, as they may be amended or updated in the future. As penalties for failing to pay utility bills within the times specified in the Modesto Municipal Code (Chapter 6 of Title 11), the charges are separate from fees for water service and not subject to the limits imposed by the provisions of the California Constitution adopted by exempt from the requirements of Propositions 218 and 26, or by provisions of the Constitution that predated those additions. The penalty charges are payable and paid by all classes of customers, including those who participate in the WRA Program, and

WHEREAS, the proposed value of the WRA Program credit for a qualified accountholder is \$10 per month, or \$120 annually, credited to the fixed charge portion of the water bill, and

WHEREAS, the WRA Program will become effective January 1, 2017, and customers will continue participation in the program as long as they continue to meet the eligibility requirements, and

WHEREAS, this program is separate from the existing Senior/Disabled Low Income (SDLI) Program for water, sewer and garbage rate discounts, and

WHEREAS, customers may apply and participate in either the WRA or the SDLI programs but not both.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a Water Rate Assistance Program for water customers based on annual customer income level.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 2016, 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