

**MODESTO CITY COUNCIL  
RESOLUTION NO. 2017-87**

**RESOLUTION APPROVING THE APPOINTMENT OF CHRIS VIERRA, CITY OF CERES, TO THE GOVERNING BOARD OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT – STANISLAUS CITY SEAT**

WHEREAS, Health and Safety Code Section 40600.5 created by a Special City Selection Committee for the appointment of city members of the San Joaquin Valley Air Pollution Control District (District) Governing Board; and

WHEREAS, the Special City Selection Committee has adopted procedures for making their appointments, based upon the adopted procedures, a city councilmember representing a City with a population of less than 100,000 from Stanislaus County shall be appointed to the District Governing Board; and

WHEREAS, in selecting a nominee for appointment by the Special City Selection Committee to the District Governing Board, the City Council considered the application materials from the eligible applicant(s); and

WHEREAS, the vote to select a candidate took place as an item on the publicly noticed agenda and was discussed during the normal City Council meeting with time for public comment.

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto nominates Chris Vierra to the Special City Selection Committee for appointment to the District Governing Board.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7<sup>th</sup> day of March, 2017, 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. 2017-88**

**RESOLUTION APPROVING AN AGREEMENT WITH ALTA PLANNING + DESIGN INC., OAKLAND CA, FOR DESIGN SERVICES FOR THE CLAUS ROAD PAVEMENT REHABILITATION PROJECT IN AN AMOUNT NOT TO EXCEED \$61,856 FOR THE IDENTIFIED SCOPE OF SERVICES, PLUS \$6,185 FOR ADDITIONAL SERVICES (IF NEEDED), FOR A MAXIMUM TOTAL AMOUNT OF \$68,041, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT**

WHEREAS, the Claus Road Pavement Rehabilitation project incorporates pavement rehabilitation and a Class IV bike path, and

WHEREAS, the Class IV bike path is listed as a priority project on the 2006 City of Modesto Non-Motorized Transportation Master Plan, and

WHEREAS, as part of project design it has been identified that bicycle signal and protected intersection design features are necessary to guide and protect cyclists at street intersections, and

WHEREAS, City staff has determined there is a need to hire a professional consultant to design the bicycle signal and protected intersection design features, and

WHEREAS, City staff has determined it is in the best interest of the public and the City of Modesto to hire Alta Planning + Design Inc. for design services as the most qualified,

WHEREAS, on February 28, 2017, Council approved Resolution No. 2017-86 implementing a spending freeze in order to maintain fiscal sustainability of the City. The City Manager's Office approved an exception to this freeze for this procurement based upon the fact that this contract is fully funded with Capital Facilities Fees (Streets) and is connected with a federally-funded pavement rehabilitation project that is to be constructed this summer.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an agreement with Alta Planning + Design for design services for the Claus Road Class IV Bike Path Project, in an amount not to exceed \$61,856 for the identified scope of services, plus \$6,185 for additional services (if needed), for a maximum total amount of \$68,041.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the Agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7<sup>th</sup> day of March, 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, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: Ridenour

ATTEST:   
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By:   
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL  
RESOLUTION NO. 2017-89**

**RESOLUTION APPROVING A WILL SERVE LETTER AND OUTSIDE SERVICE AGREEMENT BETWEEN THE CITY OF MODESTO AND DAVID J. CUTLER AND JUDITH A. CUTLER, AS TRUSTEES OF THE 2014 CUTLER FAMILY TRUST, TO CONNECT TO THE CITY OF MODESTO'S EXISTING SEWER SYSTEM FOR THE PROPERTY LOCATED AT 2100 BLUE GUM AVENUE (APN: 081-022-005), AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO THE SIGN THE WILL SERVE LETTER AND EXECUTE THE AGREEMENT**

WHEREAS, David J. Cutler and Judith A. Cutler , as Trustees of the 2014 Cutler Family Trust, own a Residential property located at 2100 Blue Gum Avenue which is located outside of Modesto City Limits and inside the City's Sphere of Influence, and

WHEREAS, the property located at 2100 Blue Gum Avenue, is not connected to City's sewer system and is requesting a sewer connection due to a failing septic system, and

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

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

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

WHEREAS, the property located at 2100 Blue Gum Avenue is not located within one of those designated areas and therefore requires City Council approval prior to allowing the sewer connection, and

WHEREAS, City staff has completed an analysis and determined that it is reasonable for the City of Modesto to provide sewer service to this property due to health and safety concerns, and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Will Serve Letter and Outside Service Agreement for sewer service for the property located at 2100 Blue Gum Avenue (APN: 081-022-005) in Modesto.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to approve the Will Serve letter and execute the Outside Service Agreement for sewer service.

The foregoing documents were introduced at a regular meeting of the Council of the City of Modesto held on the 7<sup>th</sup> day of March, 2017, 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. 2017-90**

**RESOLUTION AUTHORIZING THE SUBMISSION OF THE CITY'S LOCAL  
TRANSPORTATION FUND (LTF) CLAIM FOR NON-MOTORIZED  
PURPOSES IN THE AMOUNT OF \$154,330 TO THE STANISLAUS COUNCIL  
OF GOVERNMENTS (STANCOG)**

WHEREAS, the Stanislaus Council of Governments (StanCOG) has informed the City that Local Transportation Funds (LTF) funds have been apportioned by StanCOG for allocation to the City, and

WHEREAS, this Claim for Non-motorized Purposes is the formal request by the City to StanCOG to release its apportionment of LTF funds for non-motorized purposes during the current fiscal year, and

WHEREAS, LTF funds provide the required local match for Federal funds received for the purpose of non-motorized projects, and

WHEREAS, two percent (2%) of all LTF funds available to StanCOG are designated to be used for bicycle and pedestrian projects, and

WHEREAS, the City has prepared its LTF Claim for Fiscal Year 2016-2017, **attached** hereto, pursuant to Articles 4 and 8 of Chapter 4 of Part 11, Division 10 of the California Public Utilities Code, and

WHEREAS, Council action authorizing submission of the claim is required by the rules and regulations governing the Transportation Development Act Funds, including StanCOG's approved Transit Cost Sharing Procedures, before any LTF funding can be released to the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes submission of the City's Local Transportation Fund Claim for



Fiscal Year 2016-2017 Non-motorized Funds, in the amount of \$154,330, to the Stanislaus Council of Governments.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7<sup>th</sup> day of March, 2017, 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

**TRANSPORTATION DEVELOPMENT ACT  
LOCAL TRANSPORTATION FUND  
CLAIM FOR FISCAL YEAR 2016/17 OTHER PURPOSES**

TO: Stanislaus Council of Governments  
1111 I Street, Suite 308  
Modesto, CA 95354

FROM: Applicant: City of Modesto  
Address: 1010 10th Street  
City Modesto, CA Zip: 95354  
Contact Person: Maria Garnica/Bill Sandhu Phone: 209-577-5249  
E-mail Address: mgarnica@modestogov.com Fax: 209-491-5992

The City of Modesto hereby requests, in accordance with the Transportation Development Act and applicable rules and regulations, that its claim for other purposes be approved in the amount of \$ 154,330 for fiscal year 2016/17, to be drawn from the Local Transportation Fund.

When approved, please transmit this claim to the County Auditor for payment. Approval of the claim and payment by the County Auditor to this applicant is subject to such monies being on hand and available for distribution, and to the provisions that such monies will be used only in accordance with the terms contained in the approving resolution to the Stanislaus Council of Governments.

The claimant certifies that this Local Transportation Fund claim and the financial information contained therein is reasonable and accurate to the best of my knowledge and conforms with the requirements of the Transportation Development Act and applicable rules and regulations.

Submitted by: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**StanCOG Board of Directors:**

Date of approval: \_\_\_\_\_

Resolution #: \_\_\_\_\_

\_\_\_\_\_  
StanCOG Approving Authority

**LOCAL TRANSPORTATION FUND  
CLAIM FOR OTHER PURPOSES  
FY 2016/17**

TABLE 1

1.	Planning, Local --PUC 99262/99402	\$ -
2.	Transit *	\$ -
3.	Streets and Roads --PUC 99400 (a)	\$ -
4.	Nonmotorized - 2% LTF funds --PUC 99233.2/99234	\$ 154,330
5.	Nonmotorized - Other LTF funds --PUC 99233.2/99234	\$ -
6.	<b>TOTAL CLAIM</b>	<b>\$ 154,330</b>

*This table is to be filled out by StanCOG staff*

**City of Modesto****Total LTF available to be claimed for other purposes:**

FY 2016/17 Nonmotorized apportionment	\$ 153,925
FY 2015/16 Nonmotorized supplemental	\$ 405
<b>Total 2% Nonmotorized</b>	<b>\$ 154,330</b>

FY 2016/17 Other Purposes apportionment	
FY 2015/16 Other Purposes supplemental	
<b>Total Other Purposes</b>	<b>\$ -</b>

<b>Total available to be claimed at this time</b>	<b>\$ 154,330</b>
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\* If you have proposed transit expenditures, please fill in the appropriate PUC Code.

**NONMOTORIZED PROJECTS**

FY 2016/17

(Use additional forms if necessary)

**TABLE 2  
BREAKDOWN BY PROJECT**

BRIEFLY DESCRIBE PROJECTS AND EXPENDITURES INCLUDED IN THE 3 YEAR PERIOD BELOW										
ID	PROJECT TITLE	MODE			FOR BIKE PROJECTS ONLY		2014/15 ACTUAL EXPENDITURES	2015/16 ESTIMATED EXPENDITURES	2016/17 CLAIM	ACTUAL / ESTIMATED EXPENDITURES FOR 3 YEAR PERIOD
		B I K E	P E D	P L A N	PROJECT IN StanCOG's BIKE PLAN *	PROJECT IN CITY/CO BIKE PLAN *				
100692	Bike Lane Striping	X			YES		\$17,961.00	\$4,722.00	\$125,000.00	\$147,683.00
100813	Virginia Corridor Phase VII	X			YES		\$4,767.00	\$1,399.00	\$872,225.00	\$878,391.00
100599	TRRP Gateway Phase 2	X				YES	\$0.00	\$24,293.00	\$143,802.00	\$168,095.00
							\$0.00	\$0.00	\$0.00	\$0.00
							\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL FUNDS APPROPRIATED TO PROJECTS</b>							<b>\$22,728.00</b>	<b>\$30,414.00</b>	<b>\$1,141,027.00</b>	<b>\$1,194,169.00</b>

**TABLE 3  
BREAKDOWN BY CATEGORY**

RECORD LTF FUNDS ONLY							
	% of Total Expenditures	2012/13 Actual	2013/14 Actual	2014/15 Actual	2015/16 Estimate	2016/17 Claim	5 Year Total
Bicycle facilities	86.34%	\$17,888.00	\$18,433.00	\$22,728.00	\$6,121.00	\$997,225.00	\$1,062,395.00
Pedestrian facilities	13.66%	\$0.00	\$0.00	\$0.00	\$24,293.00	\$143,802.00	\$168,095.00
Preparation of Bicycle Plan	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL AMOUNT OF BIKE/PED EXPENDITURES</b>		<b>\$17,888.00</b>	<b>\$18,433.00</b>	<b>\$22,728.00</b>	<b>\$30,414.00</b>	<b>\$1,141,027.00</b>	<b>\$1,230,490.00</b>

DOES THIS CLAIM MEET THE MINIMUM 50% BICYCLE EXPENDITURE STANCOG PERFORMANCE STANDARD?

YES

StanCOG 50% bicycle expenditure requirement: The 5 year bicycle expenditures must be 50% or greater.

**TABLE 4  
FUNDS HELD IN RESERVE AT JURISDICTION**

RECORD LTF FUNDS ONLY				
	2012/13	2013/14	2014/15	2015/16
Fiscal year beginning fund balance	\$326,129.00	\$588,721.00	\$720,707.00	\$855,109.00
Plus fiscal year 2% nonmotorized claim	\$278,945.00	\$150,499.00	\$153,796.00	\$153,047.00
Plus interest	\$1,535.00	(\$80.00)	\$3,334.00	\$8,955.00
Minus nonmotorized expenditures	(\$17,888.00)	(\$18,433.00)	(\$22,728.00)	(\$30,414.00)
Fiscal year ending fund balance	<b>\$588,721.00</b>	<b>\$720,707.00</b>	<b>\$855,109.00</b>	<b>\$986,697.00</b>

1. Prior year(s) LTF carryover held by jurisdiction applied towards FY 2016/17 Nonmotorized claim (TABLE 4)

\$977,742

2. Interest earned on previously paid LTF funds held by jurisdiction (required by State law) (TABLE 4)

\$8,955

3. FY 2016/17 Nonmotorized 2% funds applied towards FY 2016/17 projects (must match Page 2, Line 4)

\$154,330

4. FY 2016/17 Other LTF funds applied towards Nonmotorized claim (must match Page 2, Line 5)

\$0

5. FY 2016/17 Nonmotorized 2% funds to be held at StanCOG

\$0

6. Total of lines #1 through #5 above

\$1,141,027

**\* SEE PAGE 3b FOR NONMOTORIZED REGULATIONS/POLICIES AND NOTES**

**NONMOTORIZED PROJECTS**  
**FY 2016/17**  
**(Continued)**

**NONMOTORIZED REGULATION/POLICY REMINDERS:**

- A. State law allows a jurisdiction to use LTF to update a Bicycle Action Plan once every five years (PUC 99234(h)).
- B. State law allows a jurisdiction to use up to 20% of the amount available each year to restripe Class II bicycle lanes (PUC 99234(h)).
- C. State law allows a jurisdiction to use up to 5% of the amount available each year to supplement moneys from other sources to fund bicycle safety education programs, but the funds shall not be used to fully fund the salary of any one person (PUC 99233.3).
- D. All funds must be spent within five years of receipt. Over the five-year period shown in Table 3, at least 50% of funds must be spent for bicycle purposes. StanCOG will not allocate funds to any jurisdiction which is in violation of these policies.

**NOTES:**

- \* By StanCOG policy, all bike projects must appear in either StanCOG's Bicycle Action Plan, or in a City or County bicycle plan, to be eligible for LTF funding.
- \*\* Beginning with FY 2003/04, nonmotorized funds will only be allocated by StanCOG for specific projects. If no project is identified, funds will be held in reserve at StanCOG for eventual use by that jurisdiction.

**ANNUAL PROJECT AND FINANCIAL PLAN  
PROJECTS FOR OTHER PURPOSES  
FY 2016/17**

(Use additional forms as necessary)

**TABLE 5**

<b>Briefly describe all proposed projects and indicate proposed project expenditures</b>					
<b>Project Title &amp; Brief Description</b>	<b>Will this Project add new travel lanes? Yes or No</b>	<b>Will this Project use Federal Funds? Yes or No</b>	<b>Is this Project consistent with the RTP Yes or No</b>	<b>Total Project Cost</b>	<b>LTF Funds Utilized</b>
<b>TOTAL</b>				-	-

- |   |                                |
|---|--------------------------------|
| 1. LTF carryover applied towards FY 2016/17 Other Purposes            | <input type="text"/>           |
| 2. Interest earned on LTF carryover (required by State law)           | <input type="text"/>           |
| 3. FY 2016/17 apportionment applied towards FY 2016/17 Other Purposes | <input type="text"/>           |
| 4. Total of Lines 1, 2 and 3 above                                    | <input type="text" value="-"/> |

**STANISLAUS COUNCIL OF GOVERNMENTS  
RESOLUTION 15-39  
A RESOLUTION APPROVING THE TRANSPORTATION DEVELOPMENT ACT  
APPORTIONMENTS FOR FY 2016/17 FOR TRANSIT AND OTHER PURPOSES**

WHEREAS, the Stanislaus Council of Governments (StanCOG) is the designated Regional Transportation Planning Agency (RTPA), the designated Metropolitan Planning Organization (MPO), and the designated Council of Governments for Stanislaus County; and

WHEREAS, StanCOG has been designated as the Regional Transportation Planning Agency with the responsibility to administer the Transportation Development Act (TDA), including the apportionment and allocation of the Local Transportation Fund (LTF) and the State Transit Assistance (STA) Fund; and

WHEREAS, on February 17, 2016, the StanCOG Policy Board approved STA apportionments totaling \$2,303,250 for FY 2015/16, plus the LTF needed for TDA administration and transportation planning, along with 2% by jurisdiction for Nonmotorized (bicycle and pedestrian) purposes; and

WHEREAS, from the remaining LTF balance of \$19,192,320, the Transit Cost Sharing Committee recommended that LTF in the amount of \$18,069,038 is needed for transit in FY 2016/17, leaving a balance of \$1,123,282 available to be apportioned for Other purposes.

NOW THEREFORE, BE IT RESOLVED that based on the Rules and Regulations governing the Transportation Development Act funds, including StanCOG's approved Transit Cost Sharing Procedures, the Stanislaus Council of Governments hereby approves the apportionments for Local Transportation Funds for transit and Other purposes as presented in Schedule 3.

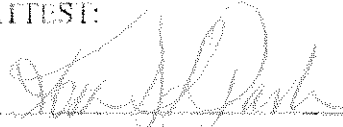
The foregoing Resolution was introduced at a regular meeting of the Stanislaus Council of Governments, on the 15th day of June, 2016. A motion was made and seconded to adopt the foregoing Resolution. Motion carried and Resolution adopted.

MEETING DATE: June 15, 2016



\_\_\_\_\_  
VITO CHIESA, CHAIR

ATTEST:



\_\_\_\_\_  
ROSA DE LEON PARK, EXECUTIVE DIRECTOR

EXHIBIT C

STANISLAUS COUNCIL OF GOVERNMENTS  
 TRANSPORTATION DEVELOPMENT ACT (TDA) APPORTIONMENTS  
 FY 2016/17  
 AS PROPOSED FOR POLICY BOARD ADOPTION ON JUNE 15, 2016

Claimant	COLUMN 1 TDA Admin NOTE 1	COLUMN 2 Transp. Planning NOTE 1	COLUMN 3 Bike/ Ped NOTE 1	COLUMN 4 Transit	COLUMN 5 Regional Transit Projects	COLUMN 6 Other Purposes	COLUMN 7 Total LTF		COLUMN 8 Total STA		COLUMN 9 Total TDA
StanCOG	204,000	612,000			36,000		852,000	+		=	852,000
CTSA				500,000			500,000	+		=	500,000
Ceres			34,578	989,982		121,363	1,148,921	+	4,288	=	1,150,209
County			82,462	6,609,799		451,503	7,143,864	+	21,325	=	7,165,189
Hughson			5,314			52,453	57,767	+		=	57,767
Modesto			153,925	8,661,388			8,815,213	+	2,272,290	=	11,087,503
Newman			7,912			53,676	61,588	+		=	61,588
Oakdale			16,021			67,267	83,288	+		=	83,288
Patterson			15,522			64,221	79,743	+		=	79,743
Riverbank			17,281			68,091	85,372	+		=	85,372
Turlock			52,276	1,271,969		191,882	1,516,127	+	5,347	=	1,521,474
Waterford			6,391			52,726	59,117	+		=	59,117
<b>Total</b>	<b>204,000</b>	<b>612,000</b>	<b>391,680</b>	<b>18,033,038</b>	<b>36,000</b>	<b>1,123,282</b>	<b>20,400,000</b>	+	<b>2,303,250</b>	=	<b>22,703,250</b>

FY 2016/17 LTF Estimate 20,400,000

0

NOTE 1: Approved by the Policy Board on 2/17/13



**STANISLAUS COUNCIL OF GOVERNMENTS  
RESOLUTION 16-12  
APPROVING THE REVISED FY 2015/16  
LOCAL TRANSPORTATION FUND (LTF) SUPPLEMENTAL APPORTIONMENT**

WHEREAS, the Stanislaus Council of Governments (StanCOG) is a Regional Transportation Planning Agency (RTPA) and a Metropolitan Planning Organization, pursuant to State and Federal designation; and

WHEREAS, the Stanislaus Council of Governments (StanCOG), as the RTPA, is responsible for administering the Transportation Development Act, including the apportionment and allocation of the Local Transportation Fund (LTF); and

WHEREAS, StanCOG approved an LTF funding apportionment for FY 2015/16 of \$19,900,000; and

WHEREAS, LTF funds of \$20,660,586 were received for FY 2015/16; and

WHEREAS, the excess LTF funds of \$760,586 are available for a supplemental apportionments, which were approved by StanCOG Policy Board Resolution 16-06 on September 21, 2016.

WHEREAS, Resolution 16-06 for Local Transportation Fund Supplemental Apportionment, authorized on September 21, 2016 is revoked.

WHEREAS, the deficit of STA funds of \$707,388 decrease the amount available for Supplemental Apportionments.

WHEREAS, that per Transportation Development Act (TDA) guidelines LTF Article 4 – Transit Funds are distributed before Article 8 - Other Purposes for jurisdictions for the FY 2015/16 LTF claims.

WHEREAS, that LTF funds be distributed to Transit Operators to offset the deficit of STA funds as represented in their respective FY 2015/16 approved transit claims.

WHEREAS, the revised excess LTF funds of \$53,198 are available for a supplemental apportionment.

NOW, THEREFORE, BE IT RESOLVED, that based on the Rules and Regulations governing the Local Transportation Fund, the Stanislaus Council of Governments approves the Revised FY 2015/16 Local Transportation Fund (LTF) Supplemental Apportionment as shown in the table below.

FY 2015/16 Proposed Supplemental Apportionments

Jurisdiction	StanCOG Planning	Nonmotorized	Other Purposes	Total
StanCOG	\$ 1,596			\$ 1,596
Ceres		\$ 91	\$ 6,025	\$ 6,116
County		\$ 217	\$ 22,406	\$ 22,623
Hughson		\$ 14	\$ 1,005	\$ 1,019
Modesto		\$ 405		\$ 405
Newman		\$ 21	\$ 1,511	\$ 1,532
Oakdale		\$ 42	\$ 3,021	\$ 3,063
Patterson		\$ 41	\$ 2,898	\$ 2,939
Riverbank		\$ 48	\$ 3,068	\$ 3,114
Turlock		\$ 138	\$ 9,514	\$ 9,652
Waterford		\$ 17	\$ 1,122	\$ 1,139
Total	\$ 1,596	\$ 1,032	\$ 50,570	\$ 53,198

BE IT FURTHER RESOLVED, that the Executive Director, or the Policy Board Chair of StanCOG, or his/her designee, is hereby authorized and empowered to execute in the name of Stanislaus Council of Governments all necessary administrative changes to implement and carry out the purposes specified in this resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Executive Director, or his/her designee, is authorized to issue an allocation instruction to the County Auditor and issue disbursement instructions to honor claimant invoices as funds become available.

The foregoing Resolution was introduced at a regular meeting of the Stanislaus Council of Governments, on the 16th day of November 2016. A motion was made and seconded to adopt the foregoing Resolution. The motion carried and the Resolution was adopted.

MEETING DATE: November 16, 2016

  
 \_\_\_\_\_  
 VITO CHIESA, CHAIR

ATTEST:  
  
 \_\_\_\_\_  
 ROSA DE LEÓN PARK, EXECUTIVE DIRECTOR

**MODESTO CITY COUNCIL  
RESOLUTION NO. 2017-91**

**RESOLUTION AUTHORIZING AWARD OF PROPOSAL FOR THE  
PURCHASE OF A SCHEDULING AND TIME-KEEPING MANAGEMENT  
SOFTWARE SYSTEM FOR THE MODESTO POLICE DEPARTMENT TO  
INTIME SOLUTIONS, INC. VANCOUVER, BC CANADA, AND AUTHORIZING  
THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT  
FOR AN ESTIMATED FIVE (5) YEAR TOTAL CONTRACT COST OF \$222,452**

WHEREAS, the Modesto City Council approved the purchase of Kronos Telestaff scheduling software for the Modesto Police Department on September 10, 2013, with the intent to have the software be a personnel scheduling and tracking mechanism for employees at the Police Department with the ability to integrate with the Oracle Applications payroll module, and

WHEREAS, Telestaff has been unable to interface with the Oracle payroll module during the last three years, creating the need for employees to continue to produce paper timesheets and manually enter time into the payroll system in addition to the systems inability to provide a 30 day scheduling view needed in projecting accurate and efficient staffing levels, and

WHEREAS, the City Manager authorized the Purchasing Manager to issue a formal Request for Proposals (RFP) for the purchase of a Scheduling and Time-Keeping Software System, and

WHEREAS, the Purchasing Division issued RFP 1516-41, with eighteen (18) companies downloading the RFP document, and

WHEREAS, two (2) companies responded to RFP 1516-41 and an evaluation committee comprised of five (5) City staff members evaluated the responsive and responsible proposals, and

WHEREAS, based on being ranked highest in total evaluation criteria, the evaluation committee recommended the award of proposal for the purchase of a Scheduling and Time-Keeping Management Software System to InTime Solutions, Inc. Vancouver, BC Canada, for a five (5) year contract for an estimated total cost of \$222,452, and

WHEREAS, on February 28, 2017, Council approved Resolution No. 2017-86 implementing a spending freeze in order to maintain fiscal sustainability of the City. The City Manager's Office approved an exception to this freeze for this procurement based upon the need of the Police Department to have an interactive scheduling and time-keeping management software system that provides for a 30 to 90 day employee scheduling view, in order to ensure that minimum staffing levels are met at all times. Additionally, this system will eliminate the need for dual entry in multiple systems to process time exceptions for payroll purposes and will allow the department to migrate to a paperless time entry system.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the award of proposal and agreement for the purchase and installation of a Scheduling and Time-Keeping Management Software System to InTime Solutions, Inc. Vancouver, BC Canada.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the agreement for an estimated five (5) year total contract cost of \$222,452.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7<sup>th</sup> day of March, 2017, by Councilmember Ridenour, 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

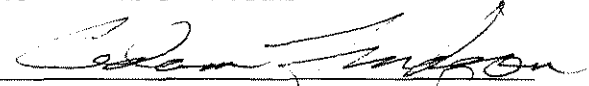
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST:   
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By:   
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL  
RESOLUTION NO. 2017-92**

**RESOLUTION AUTHORIZING THE DEPUTY CITY MANAGER, OR HIS  
DESIGNEE, TO AMEND THE MULTI-YEAR NON-CIP BUDGET TO  
APROPRIATE EXPENDITURES OF APPROXIMATELY \$137,363 FOR THE  
MODESTO POLICE DEPARTMENTS PURCHASE OF A SCHEDULING AND  
TIME-KEEPING MANAGEMENT SOFTWARE SYSTEM**

WHEREAS, the Modesto Police Department currently uses Kronos Telestaff scheduling software as approved by the Modesto City Council on September 10, 2013, and

WHEREAS, Telestaff has been unable, for the last three years, to interface with the Oracle payroll module, requiring staff to continue to produce paper timesheets and payroll staff to manually enter time into the system, along with the systems inability to provide a 30 day scheduling view, and

WHEREAS, the City Manager authorized the Purchasing Manager issued Request for Proposals (RFP) 1516-41 for the purchase of a Scheduling and Time-Keeping Management Software System, and

WHEREAS, based on being ranked highest in total evaluation criteria, the evaluation committee recommended the award of proposal for the purchase of a Scheduling and Time-Keeping Management Software System to InTime Solutions, Inc. Vancouver BC, Canada, for an estimated five (5) year total cost of \$222,452, and

WHEREAS, the expenses for the purchase of the Scheduling and Time-Keeping Management Software System will come from existing appropriations in the 2015-16 State Law Enforcement Supplemental Funds (SLESF) Grant residing in the Operations Block Grant Fund for a total of \$137,363.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the Deputy City Manager, or his designee, to amend the Multi Year Non-CIP Budget to appropriate expenditures of approximately \$137,363 for the Modesto Police Department's purchase of a Scheduling and Time-Keeping Management Software System.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7<sup>th</sup> day of March, 2017, by Councilmember Ridenour, 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. 2017-93**

**RESOLUTION APPROVING A GRANT DEED FROM THE COUNTY OF STANISLAUS FOR A PROPERTY CONSISTING OF 30,550 SQUARE FEET (0.70 ACRES), LOCATED AT 124 PECOS AVE, IN MODESTO, (APN: 038-032-040), AT NO COST TO THE CITY, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE CERTIFICATE OF ACCEPTANCE AND GRANT DEED**

WHEREAS, the City of Modesto, in 2012, annexed an area in south Modesto known as the Shackelford Neighborhood, and

WHEREAS, as a result of the annexation the City acquired title to the public roadways, and

WHEREAS, the Shackelford Storm Drainage Basin collects storm water runoff from the public roadways, and

WHEREAS, a Grant Deed is required to transfer title from the County to the City for the Shackelford Storm Drainage Basin, and

WHEREAS, the Grant Deed requires the signature of the City of Modesto, and

WHEREAS, City staff is recommending the City accept the Grant Deed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a Grant Deed from the County of Stanislaus for a parcel of 30,550 square feet (0.70 acres) for a storm drainage basin, located at 124 Pecos Avenue (038-032-040), for the Shackelford Storm Drainage Basin.

BE IT FURTHER RESOLVED that the Council of the City of Modesto, that the City Manager, or his designee, is hereby authorized to execute the Certificate of Acceptance for the Grant Deed for the parcel located at 124 Pecos Avenue, in Modesto, (APN 038-032-040) to be conveyed to the City of Modesto.



BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute and accept the Grant Deed, and all related documents required to record the Grant Deed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7<sup>th</sup> day of March, 2017, 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. 2017-94**

**RESOLUTION AUTHORIZING A TWO-YEAR AGREEMENT WITH THREE ONE-YEAR EXTENSION OPTIONS FOR THE SOLE SOURCE PROCUREMENT OF UV LAMPS WITH XYLEM WATER SOLUTIONS USA INC., CHARLOTTE, NC, FOR AN ESTIMATED ANNUAL COST OF \$39,392 AND OVER FIVE YEARS OF \$198,556, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE PURCHASING AGREEMENT**

WHEREAS, the City of Modesto, Utilities Department, Wastewater Services Division, utilizes Tertiary Treatment for the treatment of the City of Modesto Wastewater, and

WHEREAS, Phase 1 of the Tertiary Treatment process is the disinfection of the wastewater by UV lamps which must be replaced after 12,000 hours of operation, and

WHEREAS, the UV lamps are a specialized system component that must be purchased and contracted from a Wedeco Distributor to maintain equipment performance standards, and

WHEREAS, the local exclusive manufacturer representative is Xylem Water Solutions USA, Inc., and

WHEREAS, it is anticipated that each year 120 lamps will need to be replaced to ensure the efficiency of the disinfection process, and

WHEREAS, staff has negotiated with Xylem Water Solutions USA, Inc., to freeze the cost of the lamps for two years; for the following three years there will be an increase not to exceed the Consumer Price Index, and

WHEREAS, to maintain the equipment guarantee for the Tertiary equipment, staff finds that the justification meets the City's sole source criteria as identified under the Modesto Municipal Code 8-3.204(b), and

WHEREAS, on February 28, 2017, Council approved Resolution No. 2017-86 implementing a spending freeze in order to maintain fiscal sustainability of the City, and

WHEREAS, on March 2, 2017, the City Manager's Office approved an exception to this freeze for this procurement based upon the specific need for these lamps to utilize Tertiary treatment of Wastewater, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the procurement of UV lamps and approving a sole source agreement with Xylem Water Solutions USA, Inc., Charlotte, NC , for five years at an annual cost of \$39,392 and a cost over five years of \$198,556.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the purchase agreements.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7<sup>th</sup> day of March, 2017, 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

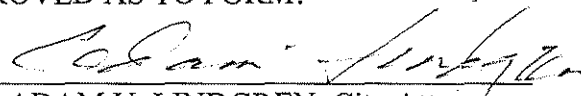
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST:   
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By:   
ADAM U. LINDGREN, City Attorney