

SPECIAL AGENDA

MODESTO PLANNING COMMISSION AND
FINANCE COMMITTEE
MONDAY, MAY 15, 2023 - 6:00 PM
ZOOM/BASEMENT CHAMBER
1010 TENTH STREET – MODESTO, CA

I. ROLL CALL

THIS MEETING WILL BE PHYSICALLY OPEN TO THE PUBLIC AND BY ZOOM VIDEO CONFERENCING

Effective March 1, 2023, if a technical issue arises with Zoom or the phone dial-in option, the City Council meeting will continue unless the meeting is being held pursuant to the provisions of Assembly Bill 2449. Alternative viewing options are listed below, and the meeting is physically open to the public. You may observe a livestream of the meeting at <http://media.modestogov.com>. You may also participate in the meeting as indicated below.

Joining the Planning Commission meeting via Zoom

The City of Modesto is now offering the ability to view and participate in Planning Commission meetings via telephonic conferencing via "Zoom" video conferencing computer technology. The meeting may be accessed through the use of Zoom using the following options:

- Enter the following link into an Internet Browser <https://modestogov.zoom.us/j/84440381706>
- Enter the following link into an Internet Browser <https://zoom.us/> and using the Webinar ID 844 4038 1706
- To use Zoom, please visit: <https://zoom.us/> and either sign-up for a free Zoom account or continue as a guest. Once you have downloaded the app onto your mobile device, joined from your web browser, or downloaded the Zoom software on your computer you will be ready for the upcoming Commission meeting.

Providing Public Comment on Zoom or via Email

The Planning Commission Chair will open each public hearing item for public comment. Once the Chair has announced the public comment period, please do one of the following.

USING A COMPUTER OR SMART PHONE APP:

- Click on the "Raise Hand" feature in the webinar controls. This will notify City staff that you have raised your hand.
- City staff will unmute your microphone when it is your turn to provide public comment.
- A prompt will appear to confirm you would like to be unmuted and then you will be able to provide your comments.

- Once your public comment has ended, you will be muted again.

If you wish to submit a public comment in writing, please submit your comment, to the Recording Secretary at planning@modestogov.com prior to the start of the meeting. All comments will be shared with the Commission and placed in the record. Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations.

II. CONSENT ITEMS

None

III. Capital Improvement Program, 2023/24

Consider adopting the attached resolution finding that 1) all new and active projects within the Capital Improvement Program (CIP) budget for Fiscal Year (FY) 2023-24 are in conformance with the Modesto Urban Area General Plan and 2) that the Finance Committee recommend to City Council approval of the FY 2023-24 CIP Budget. (Funding Source: Various Funds)

IV. Oral Communications

These matters may be presented only by interested persons in the audience, staff or Commissioners or Committee Members. Under State law, Commissioners or Committee Members may respond to matters being presented under this item only as follows:

- (a) Briefly respond to statements made or questions raised.
- (b) Ask a question for clarification.
- (c) Provide a reference to staff or other resources for factual information.
- (d) Request staff to report back at a subsequent meeting.
- (e) Finally, the Commission or Committee itself may take action to direct staff to place a matter of business on a future agenda.

V. Matters too Late for the Agenda

These may be presented by members of the Planning Commission, Finance Committee and staff, upon determination by a majority vote that an emergency exists, as defined by State law, or by a 2/3 vote that: 1) there is a need to take immediate action, and 2) that the need for action came to the City's attention after the agenda was posted.

VI. Adjournment

Copies of the agenda are on file at the Stanislaus Library Reference Room, 1500 I Street, Modesto, in the office of the Planning Division, Third Floor, 1010 Tenth Street, Modesto, CA., and online at <https://www.modestogov.com/AgendaCenter/Planning-Commission-11>.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Commission Secretary at 209.577.5267. Assistive listening devices are available upon request to the Planning Commission Secretary. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. In accordance with the requirements of Title II of the Americans with Disabilities Act ("ADA") of 1990, the Fair Employment & Housing Act ("FEHA"), the Rehabilitation Act of 1973 (as amended), Government Code section 11135 and other applicable codes, the City of Modesto ("City") will not discriminate against individuals on the basis of disability in the City's services, programs, or activities. For more information, please visit the City of Modesto website at <https://www.modestogov.com/865/Americans-with-Disabilities-Act-ADA>

Notice: Persons who wish to speak to the Planning Commission regarding any item on the printed agenda, including oral communications, are encouraged to please submit your comment, to the Recording Secretary at planning@modestogov.com. All comments will be shared with the Commission and placed in the record. Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations. The purpose of this list is to have your name and address should we need to contact you or provide additional information to you. Signing this form is optional to speakers.

Posted pursuant to Government Code Section 54956 on _____ at
by _____ on the bulletin board at Tenth Street Place.



CITY OF MODESTO
PLANNING COMMISSION AND
FINANCE COMMITTEE
AGENDA REPORT

DATE OF MEETING:

May 15, 2023

Date: May 2, 2023

TO: Planning Commission & Finance Committee Members

FROM: Joseph P. Lopez, City Manager

SUBJECT: Fiscal Year 2023-24 Capital Improvement Program

CONTACT: Steve Christensen, Budget Manager, schristensen@modestogov.com,
209-577-5390

DESCRIPTION:

Consider adopting a resolution finding that all new and active projects within the Capital Improvement Program (CIP) budget for Fiscal Year (FY) 2023-24 are in conformance with the Modesto Urban Area General Plan and that the Finance Committee recommend to City Council approval of the FY 2023-24 CIP Budget. (Funding Source: Various Funds)

STRATEGIC PLAN ELEMENT:

This item supports the City of Modesto 2020-2025 Strategic Plan focus on Governance and Service Delivery under Goal H: Achieve Financial Sustainability.

BACKGROUND/DISCUSSION:

The City of Modesto Capital Improvement Program (CIP) is a five-year program (starting in Fiscal Year 2023/24 and ending in Fiscal Year 2027/28). The CIP strives to reflect the goals and policies established by the General Plan by systematically planning, scheduling, managing, monitoring and financing capital projects to ensure cost-effectiveness and conformity with established policies and adopted Specific Plans. The CIP guides the funding and construction of all public improvements constructed by the City, including roads, wastewater treatment facilities and lines, water lines and parks. The CIP reflects a balance between capital replacement projects that repair, replace or enhance existing facilities, equipment or infrastructure and capital facility projects that significantly expand or add to the city's existing fixed assets. The capital needs for the City, far exceed the amount of available (and anticipated) revenue. Attention is given to utilize available resources and grants in a manner that legitimately maximizes the City's capacity to complete capital improvements in the CIP.

State law (Government Code Section 65401) requires the City planning agency (Planning Commission) to review and report on proposed CIP projects for conformity with the General Plan. The CIP strives to reflect the goals and policies established by the General Plan by systematically planning, scheduling, managing, monitoring and financing capital projects to ensure cost-effectiveness and conformity with established policies and adopted Specific Plans.

CEQA/NEPA REQUIREMENTS:

The determination of whether or not the proposed Fiscal Year 2023-24 CIP is consistent with the Modesto Urban General Plan is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question – a determination as to the General Plan consistency – may have a significant effect on the environment.

RECOMMENDED COMMITTEE ACTION:

Resolution of the Planning Commission of the City of Modesto finding the Fiscal Year 2023-2024 Capital Improvement Program in conformance with the Modesto Urban Area General Plan Pursuant to Government Code Section 65401.

Motion by the Finance Committee accepting the Fiscal Year 2023-24 Capital Improvement Program and forwarding to the City Council for approval.

Approved by:

Joseph P. Lopez, City Manager

Attachments:

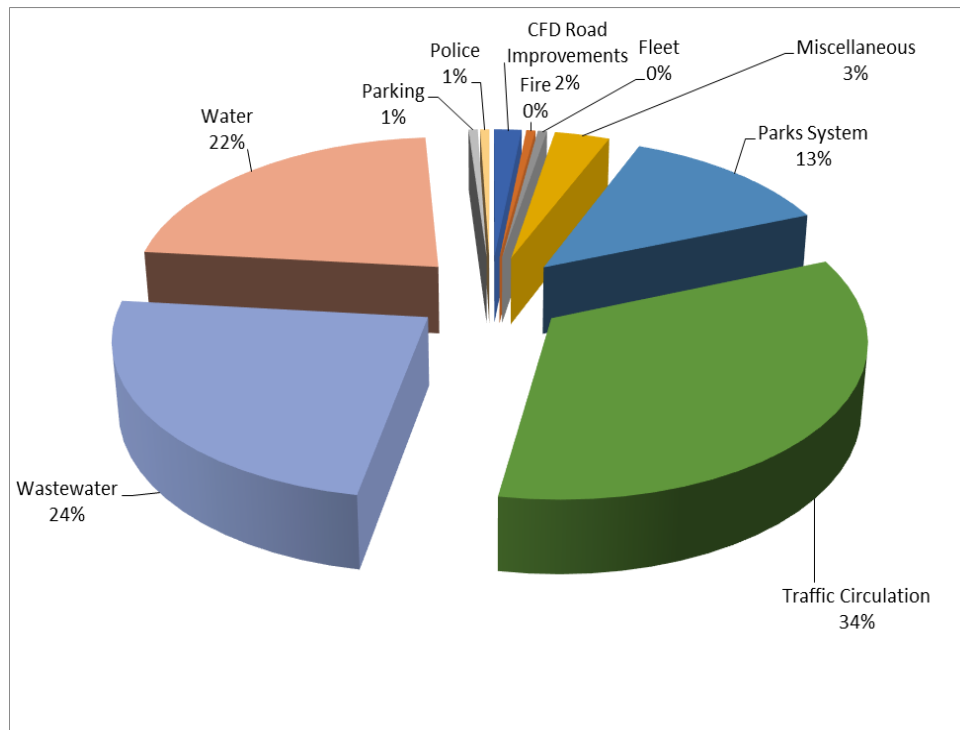
1. Resolution

FISCAL IMPACT:

The Capital Improvement Program (CIP) budget for FY 2023-24 includes funding from a variety of funding sources. This information is provided in the detail pages of the CIP Budget document as part of this report.

There are 180 projects in the City’s Capital Improvement Program, primarily in the project areas of parks systems, traffic circulation, wastewater, and water.

Percentage of Total Projects



Of these 180 projects, 13 are classified as new projects and increase the FY 2023-24 CIP budget by \$13.4 million. The chart below breaks out this information by category of project:

New or Future Projects Breakdown

	# of New Projects	FY 2023-24 Budget
American Rescue Grants Fund-1390	2	\$1,174,928
Capital Grants - CIP Projects-3140	1	\$100,000
Capital Grants - Streets CIP Projects-3160	2	\$1,099,037
Measure L - Capital Projects-3300	1	\$2,990,000
Water Fund - CIP Projects-4180	4	\$5,981,848
Sewer Operations Fund-4210	1	\$1,235,000
JPA - TRRP Special Revenue Fund - CIP-6710	1	\$450,000
TRRP - Special Revenue Fund-6720	1	\$350,000
Grand Total	13	\$13,380,813

PLANNING COMMISSION
RESOLUTION NO. 2023- [REDACTED]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MODESTO FINDING THE FISCAL YEAR 2023-2024 CAPITAL IMPROVEMENT PROGRAM IN CONFORMANCE WITH THE MODESTO URBAN AREA GENERAL PLAN PURSUANT TO SECTION 65401 OF THE GOVERNMENT CODE (CITY OF MODESTO)

WHEREAS, each year the Planning Commission must review all capital projects that will be planned, initiated or constructed during the ensuing fiscal year for conformity with the General Plan as required by State Planning and Zoning Law (Government Code Section 65401); and

WHEREAS, the Planning Commission has been furnished a copy of and reviewed the Draft 2023-2024 Capital Improvement Program (CIP), which includes all capital projects to be planned, initiated or constructed during the 2023-2024 fiscal year for conformity with the General Plan; and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 15, 2023 at which it considered the proposed CIP, the General Plan, staff reports, oral and written, and the testimony and evidence of all those wishing to be heard; and

WHEREAS, the Planning Commission finds that the determination of whether the Draft 2023-2024 CIP is consistent with the Modesto Urban Area General Plan is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question - a determination as to General Plan consistency - may have a significant effect on the environment; and

WHEREAS, the Finance Committee accepts the Fiscal Year 2023-2024 CIP and recommends forwarding to the City Council for approval; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Modesto hereby determines that those projects in the Draft 2023-2024 CIP conform to and are consistent with the Modesto Urban Area General Plan.

The foregoing resolution was introduced at the special joint meeting of the Planning Commission and the Finance Committee held on May 15, 2023, by Commissioner [REDACTED], who moved its adoption, which motion was seconded by Commissioner [REDACTED], and carried by the following vote:

Ayes: [REDACTED]
Noes:
Absent:
Recused:

BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO

Original, signed copy on file in CEDD
Jessica Hill, Secretary

EXHIBIT A

2023-2024 Capital Improvement Program

**On file with the City Clerk and the
Community & Economic Development Department, Planning Division**

Or Available online:

<https://www.modestogov.com/253/Capital-Improvement-Budgets>