

**Letter of Agreement
Between Modesto City Fire Fighters Association (MCFFA)
And City of Modesto (CITY)**

Physical Fitness Program

MCFFA and the CITY agree to meet and confer to develop a mutually agreed upon physical fitness program (pfp), to be implemented during calendar year 2007. Development of the pfp will involve the Fire Department's Fitness Committee. In the meantime, employees shall participate in the current fitness evaluation process, providing access to gym membership.

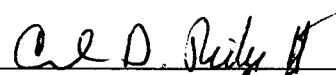
The pfp will use IAFF/IAFC standards as a base. The goal is to improve and maintain the overall fitness of employees and to utilize peer fitness coaching, if available.

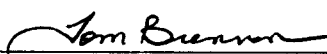
At a minimum, the pfp will include mandatory participation in a fitness evaluation process to periodically assess employees' fitness strengths and weaknesses, as compared to measurable standards. It is anticipated that these standards will be age-adjusted. The consequences for failure to meet and maintain adopted standards will be agreed upon by the parties, except that the Fire Chief shall continue to retain the authority to direct fitness for duty examinations and to take whatever action the Fire Chief deems appropriate if it is determined that an employee is not fit for duty.

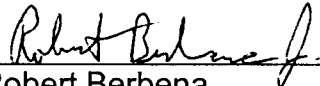
For City of Modesto:

 2/8/07
Robin Renwick Date
Personnel Director

For MCFFA:

 2/6/07
Cecil Ridge Date
MCFFA President

 2/6/07
Tom Brennan Date
Fire Division Chief

 2-7-07
Robert Berbena Date
Fire Captian