RESOLUTION ACCEPTING THE RESIGNATION OF BRIAN VELTHOEN FROM THE COMMERCIAL BROKER SEAT ON THE COMPREHENSIVE FEES TASK FORCE

WHEREAS, on June 28, 2016, by Resolution No. 2016-277 Council approved reconvening the Comprehensive Fees Task Force, and

WHEREAS, the Comprehensive Fees Task Force was reconvened to review development-related fees and provide policy direction for a comprehensive Capital Facilities Fees program update, and

WHEREAS, Resolution No. 2016-277 approved the following voting membership: Healthy Economy Committee Member, Effective Government Committee Member, Representative of the Manufacturer's Council, Representative of the Building Industry Association, Representative of the Chamber of Commerce, four Citizen-at-Large, one Commercial Broker, and one Affordable Housing Representative, and

WHEREAS, on November 1, 2016 by Resolution No. 2016-440, Brian Velthoen was appointed to the Commercial Broker seat on the Comprehensive Fees Task Force, and

WHEREAS, on September 29, 2017 Mr. Velthoen advised City staff of his resignation and will no longer be able to serve on the Task Force.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto it hereby accepts the resignation of Brian Velthoen from the Commercial Broker Seat on the Comprehensive Fees Task Force.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of November, 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, Ridenour, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Atty
RESOLUTION APPROVING AMENDING AGREEMENTS WITH 4LEAF INC., BUREAU VERITAS, CSG CONSULTANTS INC., AND INTERWEST CONSULTING GROUP TO EXTEND SERVICES FOR PLAN REVIEW, BUILDING INSPECTION, CHIEF BUILDING OFFICIAL AND CODE ENFORCEMENT SERVICES FOR ONE YEAR AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AMENDMENTS

WHEREAS, by Resolution No. 2012-486, Council approved the award of proposal and contracts for professional assistance with plan review and inspection services to 4LEAF Inc., Bureau Veritas, CSG Consultants and Interwest Consulting Group, and

WHEREAS, on August 19, 2014, an amendment to the Interwest Consulting Group contract was made to provide for Chief Building Official services, and

WHEREAS, by Resolution No. 2014-354, Council approved an amendment to the standard agreement for consultant services with Interwest Consulting Group for Building Official and Code Enforcement services in an amount not to exceed $180,000, and

WHEREAS, by Resolution No. 2015-364, Council approved an amendment to the standard agreement for consultant services with Interwest Consulting Group for Building Official and Code Enforcement services in an amount not to exceed $200,000, and

WHEREAS, by Resolution No. 2015-363, Council approved an amendment to the standard agreement for consultant services with 4LEAF Inc., Bureau Veritas, and CSG Consultants Inc., for plan review and inspection services to increase annual compensation for each contract in an amount not to exceed $50,000, and
WHEREAS, the City has exhausted all extensions provided through the Agreements which are set to expire December 3, 2017 and a formal Request for Proposals (RFP) cannot be accomplished prior to the expiration of these agreements, and

WHEREAS, staff is requesting a one-year extension to 4LEAF Inc., Bureau Veritas, CSG Consultants Inc., and Interwest Consulting Group agreements to prevent regulatory or compliance issues that may impact the safety of the community,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the following Agreements:

1. A Second Amendment with 4LEAF Inc., for a one year extension of the term only

2. A Second Amendment with Bureau Veritas, for a one year extension of the term only

3. A Second Amendment with CSG Consultants Inc., for a one year extension of the term only

4. A Fourth Amendment with Interwest Consulting Group, for a one year extension of the term and to increase the agreement amount by an additional $200,000 to extend services for Plan Review, Building Inspection, Chief Building Official and Code Enforcement Services.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute the Amendments to the Agreements, in a form approved by the City Attorney.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of November, 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: 

(Seal)

APPROVED AS TO FORM:

By: 

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING THE PRE-QUALIFIED CONSULTANT LIST, CONSISTING OF ALTA DESIGN + DESIGN, OAKLAND, CA, DRAKE HAGLAN AND ASSOCIATES, MODESTO, CA, MARK THOMAS, FRESNO, CA, AND O’DELL ENGINEERING, MODESTO, CA FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECTS FOR A PERIOD OF TWO YEARS, WITH TWO ADDITIONAL ONE-YEAR EXTENSIONS AT THE WRITTEN APPROVAL OF THE INTERIM CITY MANAGER

WHEREAS, the Community and Economic Development Department anticipates developing several Capital Improvement Projects that require civil engineering services that are beyond the City’s current staffing levels and workload to accomplish in a timely manner, and

WHEREAS, Community and Economic Development Department has found it necessary to utilize a vendor list for civil engineering services, and

WHEREAS, retaining pre-qualified consultants allows the division to have quick access to specific civil engineering services when needed, and

WHEREAS, using experienced consultants provides a quick turnaround, which is essential for an efficient response to the large undertaking of projects, and

WHEREAS, all four consultant firms are familiar with the layout of the City as well as City Standards, and

WHEREAS, all four consultant firms have established experience and were the most qualified consultants from those who submitted Statement of Qualifications, and

WHEREAS, the selected consultant will be determined on a project basis once a scope of work and contract have been negotiated with the most qualified firm(s) from the vendor list, and
WHEREAS, in accordance with Administrative Directive 3.1, Selection Procedures for Professional Consultants Who Provide Architectural & Engineering Services for Capital Projects, which is in compliance with State of California Government Code, Sections 4526-4529, staff solicited and formally advertised an RFQ through Planet Bids for civil design and drafting services, and

WHEREAS, staff received ten (10) Statements of Qualifications (SOQs), five (5) which were considered local firms, and

WHEREAS, after careful review of the SOQs by the Community and Economic Development Department staff, the following local firms were selected as the four most qualified: 1) Alta Planning + Design, Oakland, CA; 2) Drake Haglan and Associates, Modesto, CA; 3) Mark Thomas, Fresno, CA; and 4) O’Dell Engineering, Modesto, CA, and

WHEREAS, when as-needed civil design or drafting services are required for CIP projects with a total budget of $2 million or less, a Request for Proposals (RFP) with a specific scope of work may be issued to these firms, and

WHEREAS, a department director may eliminate the State of Qualifications portion of the process for major projects and secure a firm or firms directly from the professional consultant list, and

WHEREAS, an agreement for engineering design services will then be presented to City Council for approval and

WHEREAS, this prequalified local consultant list will be active for two years from the date of Council approval, at which time the City may extend the list for two additional one-year extensions at the written approval of the City Manager, and
WHEREAS, in the event the firms listed on the pre-qualified list are deemed to lack experience or expertise for specific projects, the City retains the right to recruit consultants for individual projects and not be restricted to only using the approved list, and

WHEREAS, a formal bidding process will be conducted should this situation occur.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the prequalified consultant list, consisting of Alta Planning + Design, Oakland, CA, Drake Haglan and Associates, Modesto, CA, Mark Thomas, Fresno, CA and O’Dell Engineering, Modesto, CA for Civil Engineering Services for various Capital Improvement Program (CIP) projects for a period of two years, with the two one-year extensions at the written approval of the Interim City Manager.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14\textsuperscript{th} day of November, 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:

\textbf{AYES:} Councilmembers: Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold

\textbf{NOES:} Councilmembers: None

\textbf{ABSENT:} Councilmembers: None

\begin{center}
\textbf{ATTEST:} \\
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\end{center}

(SEAL)

\begin{center}
\textbf{APPROVED AS TO FORM:} \\
By: \includegraphics[width=1.5in]{signature}
\end{center}

\begin{center}
\textbf{ADAM U. LINDGREN, City Attorney}
\end{center}
MODESTO CITY COUNCIL
RESOLUTION NO. 2017-440

RESOLUTION AMENDING THE FISCAL YEAR 2017-18 ANNUAL OPERATING AND CAPITAL IMPROVEMENT BUDGET

WHEREAS, a financial analysis has been completed and it has been determined that a budget adjustment is required to the Annual and Capital Improvement Budgets of the City of Modesto for Fiscal Year 2017-18,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Fiscal Year 2017-18 Annual Operating and Capital Improvement budget as shown in Exhibit A, which is attached hereto and incorporated by reference herein.

BE IT FURTHER RESOLVED that the Interim 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 14th day of November, 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 votes:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

ATTEST: [Signature]

STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGRIEN, City Attorney
EXHIBIT A

FISCAL YEAR 2017-18

COMMUNITY & ECONOMIC DEVELOPMENT
A budget adjustment is necessary to recognize $1,584,493 of unbudgeted revenue from the State Department of Transportation in the Capital Grants – Streets CIP Fund, Fund 3160, and reallocate to Capital Improvement Project #100806, 2016 Pavement Rehabilitation Project, discretionary task accounts.

A budget adjustment is necessary to recognize $4,000,000 of unbudgeted revenue from the Regional Measure L funds in the Streets Capital Facility Fee Fund, Fund 3410, and reallocate to Capital Improvement Project #100614 – State Route 132 West Expressway, discretionary task accounts.

A budget adjustment is necessary to appropriate $60,000 in the Abatement Fund for costs associated with the relocation benefits for tenants of the property located at 624 9th Street, Modesto, CA. The action to have these funds available was approved on August 2, 2017 by Council Resolution No. 2017-307, but this action did not include a resolution to amend the budget to appropriate funds for these costs. These costs were temporarily absorbed within existing department budgets outside of the Abatement Fund. However, their ultimate funding needs to be adjusted to the Abatement Fund via the budget adjustment presented in this action. The $60,000 will be appropriated in the Abatement Fund in the following account (4910-14225-53074).

FIRE DEPARTMENT
A budget adjustment is necessary to increase the expense and revenue budget in the Fire Department’s Training division by $295,704 to account for the reimbursement of expenses paid for the agreement with the California Governor’s Office of Emergency Services (CalOES). The revenue account being increased is 42191 (Intergov – State – CalEMA/CalOES). This agreement was entered into to allow for Modesto Fire Department staff to attend hazardous material training required by CalOES. The agreement covers the costs of backfilling positions while they attend training. While this adjustment will increase the revenue and expense budgets of the Fire Department it is strictly for reimbursement of costs associated with this agreement.
RESOLUTION APPROVING THE ACCOUNTS RECEIVABLE WRITE-OFF REPORTS THROUGH JUNE 30, 2017 TOTALING $746,193, AND DIRECTING A REPORT OF DISPOSITION BE FILED WITH THE CITY CLERK

WHEREAS, the Finance Department maintains a billing system to track monies owed to the City, and

WHEREAS, occasionally the responsible party does not pay the City as required, and

WHEREAS, it is the City’s policy to actively pursue collection of past-due accounts and write off amounts deemed to be uncollectible, and

WHEREAS, the City employs various different means of trying to collect past-due accounts, and

WHEREAS, collection efforts continue until the legal statute restricts the City’s collections actions, and

WHEREAS, the City’s Write-off of Uncollectible Accounts Receivable policy, as allowed under by Section 2-3.406 of Article 4 of Title 2 of the Municipal Code, requires the following approval authority: the Director of Finance is authorized to approve the write-off of accounts with an outstanding balance due of up to $5,000, and the City Manager is authorized to approve the write-off of accounts with an outstanding balance due in excess of $5,000 and up to $25,000; and

WHEREAS, the following amounts with an outstanding balance less than $5,000 have been approved for write-off by the Director of Finance for the Fiscal Year 2016-2017 and as such all available collection remedies have been exhausted: (1) Utilities Accounts - $356,350 and (2) Miscellaneous Receivables - $252,057, and
WHEREAS, the following amounts with an outstanding balance less than $25,000 have been approved for write-off by the City Manager for the Fiscal Year 2016-2017 and as such all available collection remedies have been exhausted: Miscellaneous Receivables - $104,959, and

WHEREAS, for the write-off amount in excess of $25,000 for $32,827, Section 2-3.406 of Article 4 of Title 2 of the Municipal Code requires the City Manager to report the accounts to the City Council with his recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts the City Manager’s and Director of Finance reports of uncollectible utility and accounts receivable in the total amount of $746,193, and approve a report of disposition be filled with the City Clerk,
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of November, 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
RESOLUTION APPROVING THE SOLE SOURCE PROCUREMENT WITH T2 SYSTEMS, INC., INDIANAPOLIS, IN TO SECURE THE COST FOR SOFTWARE MAINTENANCE AND SUPPORT OF THE T2 PARKING CITATION MANAGEMENT SYSTEM OVER FIVE YEARS FOR A TWO (2) YEAR AGREEMENT WITH THREE (3) ONE YEAR EXTENSION OPTIONS FOR AN ANNUAL ESTIMATED COST OF $21,667 AND OVER FIVE YEARS OF $103,038, AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE CONTRACT

WHEREAS, on September 25, 2007, Council approved Resolution No. 2007-548, to execute an agreement with T2 Systems, Inc. for the purchase of a Parking Citation Management System (PCMS) for the Customer Services Division of the Finance Department, and

WHEREAS, this system is utilized by the Parking Citation Processing Division in coordination with the Modesto Police Department to manage ticket issuance, Informal and Formal Administrative Hearing process, Residential Parking Permit program, fines and revenue collection, and

WHEREAS, the Finance Department requires the regular use of its T2 Systems, Inc. module in order to meet its daily business needs including but not limited to overseeing the collection of parking citations and managing the administrative review process for contested parking citations for the Modesto Police Department, and

WHEREAS, this module includes an online payment and appeals module managed through a cloud-based system providing a more efficient and convenient avenue for our citizens while also ensuring compliance with the Payment Card Industry Data Security Standard (PCI DSS), and

WHEREAS, the City currently has an agreement with T2 for software maintenance support that expires November 1, 2017, and
WHEREAS, the owner and operator of the PCMS, T2 Systems, Inc. is uniquely qualified to provide maintenance for their software, and

WHEREAS, staff recommends the City enter into a sole source agreement with T2 Systems, Inc. to secure the cost for maintenance over five years, for a two (2) year agreement with three (3) one year extension options for an annual estimated cost of $21,667 and over five (5) years at an estimated cost of $103,038 based on annual maintenance cost, and

WHEREAS, Modesto Municipal Code Section 8-3.203, generally requires all purchases, which meet or exceed $50,000 for material, equipment or contractual services to be formally bid. However, there are exceptions to the rule set forth in the Modesto Municipal Code. One exception, MMC Section 8-3.204(d), allows for the Purchasing Manager, in his or her discretion, to determine if a process other than the usual formal bid procedure set forth in MMC Section 8-3.203 will result in procurement for the City at the lowest possible cost commensurate with the desired quality, and

WHEREAS, the Purchasing Manager has invoked that exception for this purchase due to cost savings of staff time, and

WHEREAS, the fact that T2 is the only vendor who could maintain the T2 software, the sole source award of an agreement to T2 Systems, Inc. will conform to MMC Section 8-3.204(d), and

WHEREAS, in November 2016 a system upgrade was approved at a cost of $35,574 which included maintenance costs for Fiscal Year 2016-17 of $13,524, and
WHEREAS, maintenance costs for Fiscal Year 2016-17 were pro-rated based on changes to the timeline for implementation of the new online payment and appeals module, and

WHEREAS, sufficient funds are budgeted in Fiscal Year 2017-18 in appropriation unit 0100-12450-53100 to cover the first year of the agreement in the amount of $21,667 which includes a test environment for one year in the amount of $4,350.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes an agreement for a sole source procurement with T2 Systems, Inc., Indianapolis, IN for software maintenance and support of the T2 Parking Citation Management System for a total estimated cost of $103,083 over five (5) years, and

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute the contract.
The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 14th day of November, 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: [Signature of City Clerk]

(SEAL)

APPROVED AS TO FORM:

By: [Signature of City Attorney]

ADAM U. LINDGREN, City Attorney
RESOLUTION AUTHORIZING A MERIT INCREASE OF $6,176 FOR THE CITY CLERK, EFFECTIVE OCTOBER 24, 2037

WHEREAS, salaries for Charter Officers appointed by the City Council are subject to periodic review and adjustment, and

WHEREAS, on June 9, 2015 the Council approved an merit increase in salary to STEPHANIE LOPEZ, City Clerk, effective June 29, 2015, after a performance evaluation concluded outstanding performance, which increase was within the range established in Resolution 2012-369, and

WHEREAS, on September 5, 2017 a subsequent annual performance evaluation was conducted, a performance evaluation that concluded outstanding performance; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Council hereby approves a merit increase in salary, which increase is within the range established in Resolution 2014-520, to STEPHANIE LOPEZ, City Clerk, effective October 24, 2017, as follows:

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The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of November, 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: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING AMENDMENT NUMBER THREE TO THE EMPLOYMENT AGREEMENT WITH STEPHANIE LOPEZ, CITY CLERK, DATED APRIL 8, 2008

WHEREAS on May 13, 2008, the City Council, by Resolution No. 2008-268, approved an Employment Agreement with Stephanie Lopez, and

WHEREAS, on June 9, 2015, the City Council, by Resolution No. 2015-187, approved Amendment Number Two, amending Section 4 of the Employment Agreement with Stephanie Lopez, and

WHEREAS, on September 5, 2017 a subsequent annual performance evaluation was conducted, a performance evaluation that concluded outstanding performance; and

WHEREAS, the City Council and Stephanie Lopez desire to amend Section 4 of the Employment Agreement to reflect a monthly salary of ten thousand eight hundred and five dollars and five cents ($10,805.05) effective October 24, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Third Amendment to the Employment Agreement between the City of Modesto and Stephanie Lopez to reflect a monthly salary of ten thousand eight hundred and five dollars and five cents ($10,805.05) effective October 24, 2017, and authorizes the Mayor to execute the Amendment.
The foregoing resolution was introduced at regular meeting of the Council of the City of Modesto held on the 14th day of November, 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: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING THE EXTENSION OF THE AGREEMENT WITH FINAL CUT MEDIA FOR ONE YEAR IN THE AMOUNT OF $202,070 FOR THE MANAGEMENT SERVICES OF THE EDUCATION AND GOVERNMENT TELEVISION MASTER CONTROL ROOM AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, Final Cut Media will provide management of the daily operations of an Education and Government (EG) television control room facility including scheduling of multi-media programming, and

WHEREAS, Final Cut Media will provide production and management of the Education and Government master control room operations as stated in Exhibit “A” and Exhibit “B” included in the Final Cut Media agreement, and

WHEREAS, the expenditures for maintenance contracts/support agreements have been approved by Council through the budget process.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the extension of the agreement with Final Cut Media for a period of one year in the amount of $202,070 for the continued management of the Education and Government television master control room.

BE IT FURTHER RESOLVED, that the Interim City Manager, or his designee, is hereby authorized to execute the agreement, in a form approved by the City Attorney.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of November, 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: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
EXHIBIT “A”
SCOPE OF SERVICES
FOR
MANAGEMENT SERVICES OF
EDUCATION & GOVERNMENT PROGRAMMING

Final Cut Media shall provide the following services to the City:

A. Management of the Education, and Government television master control room facility. Scheduling of all programming on the Education and Government channels, including live web casting via the Internet.

B. Consultant shall report solely to the Director of the Information Technology Department (IT) or to designated IT staff regarding the management of the Education and Government Channels and master control facility.

C. Production and Broadcasting Services – Consultant will provide camera crew to produce, broadcast and/or video tape the following meetings originating from the basement chambers of Tenth Street Place, Modesto Centre Plaza, Modesto Police Department, Stanislaus County Office of Education and/or any other City of Modesto sites identified in exhibit “B”:

a. All regularly or specially scheduled Modesto City Council Meetings
b. All regularly or specially scheduled Modesto City Council Committee Meetings (upon request)
c. All regularly or specially scheduled Modesto City Planning Commission Meetings
d. Specially scheduled City of Modesto Department and/or Citizen Advisory Committee Meetings (upon request).
e. All regularly or specially scheduled Stanislaus County Board of Supervisors Meetings
f. All regularly or specially scheduled Stanislaus County Board of Supervisors Committee Meetings (upon Request).
g. All regularly or specially scheduled Stanislaus County Planning Commission Meetings.
h. Specially scheduled Stanislaus County Department Meetings.
i. Regularly scheduled “Making the Grade” programs of the Stanislaus County Office of Education.
j. Specially scheduled Stanislaus County Office of Education meetings.
k. Government Youth Commission Meetings.
l. Yearly City and County Budget Meetings.

D. The City’s site locations have been identified in exhibit “B. Consultant shall be equipped and capable of broadcasting at any of the listed sites in exhibit “B”.

E. Media Duplication – Consultant staff will duplicate media of all Modesto City Council and Stanislaus County Board of Supervisors, meetings, providing copies of said meetings to the City of Modesto Clerk’s Office and the Stanislaus County Clerk of the Board’s
Office and storing master copies of all meetings in the Master Control Room library. Master copies shall not be discarded or destroyed without the prior written consent from the City Clerk or Clerk of the Board.

F. Create Video bulletin boards that appear between taped or live programming. Information will be submitted to Consultant at least five (5) days prior to the requested start date.

G. Any new programming airing on the Government and Education must be pre-approved by IT staff.

H. Consultant will provide ongoing recommendations to IT staff for the effective management of the Master Control Room facility. All final decisions pertaining to the Master Control Room facility shall be made by IT staff, unless upon emergency and IT staff is unavailable for direction.

I. Consultant will work with IT staff and contracted broadcast engineers to ensure the proper maintenance and installation of new equipment at the Master Control Room location of 1100 H Street, Modesto, California.

J. Consultant agrees that any commercial use of equipment is prohibited. Consultant may not rent City-owned equipment to other parties. Consultant also may not profit from programs produced with City equipment and facilities. Any questions regarding commercial use should be directed to the IT staff.

K. Additional production or equipment setup that is not listed on the Scope of Services shall be compensated at a rate of $75.00 per hour.

L. Consultant shall provide staff possessing a qualified skill-level and working knowledge of operating and maintaining broadcast equipment for the transmission of Education and Government programming.

M. Consultant agrees to maintain the Regular Hours of Operation as:

   a. Monday through Friday 10 am – 5 pm for Master Control Room Operation
   b. Monday through Saturday as needed for Education & Government programming
   c. Saturday and Sunday – Open only for Master Control Room Operation
   d. On-Call – 24 hours per day and 365 days per year to oversee the use of the facility and provide technical management as needed
   e. Master Control Room access is available by appointment only.

N. City and Consultant shall perform quarterly inspections of the basement chambers of Tenth Street Place and the Master Control Room location of 1100 H Street, Modesto, California. Consultant agrees to respond and correct deficiencies as identified.
O. Consultant shall provide a comprehensive inventory, drawings, diagrams, flow chart and other related material of all equipment and communications that are utilized in conducting broadcast services. Material shall be provided at signing of agreement and updated bi-annually.

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<td>Station 5</td>
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<td></td>
</tr>
<tr>
<td>Station 6</td>
<td>2700 Standford Ave</td>
<td></td>
</tr>
<tr>
<td>Station 7</td>
<td>1800 Mable Ave</td>
<td></td>
</tr>
<tr>
<td>Station 8</td>
<td>737 Airport Ave</td>
<td></td>
</tr>
<tr>
<td>Station 9</td>
<td>4025 Faro Buindo Drive</td>
<td></td>
</tr>
<tr>
<td>Station 10</td>
<td>148 Imperial Ave</td>
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</tr>
<tr>
<td>Fire Prevention</td>
<td>1010 10th Street</td>
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</tr>
<tr>
<td>Station 11 (Proposed)</td>
<td>Carver and Pelandale</td>
<td></td>
</tr>
<tr>
<td>Station 2A (Proposed)</td>
<td>Sutter and Chicago</td>
<td></td>
</tr>
<tr>
<td>Training Center</td>
<td>1220 Fire Science Lane</td>
<td></td>
</tr>
<tr>
<td>Recreation Center</td>
<td>720 Coldwell Ave</td>
<td></td>
</tr>
<tr>
<td>Senior Opportunity Services</td>
<td>416 Downey Ave</td>
<td></td>
</tr>
<tr>
<td>King Kennedy Memorial</td>
<td>601 Martin Luther King</td>
<td></td>
</tr>
<tr>
<td>Modesto Centre Plaza</td>
<td>1000 L Street</td>
<td></td>
</tr>
<tr>
<td>Boy Scout Clubhouse</td>
<td>400 Enslen Ave</td>
<td></td>
</tr>
<tr>
<td>Senior Citizens Center</td>
<td>217 Bodem Street</td>
<td></td>
</tr>
<tr>
<td>McHenry Mansion</td>
<td>906 15th Street</td>
<td></td>
</tr>
<tr>
<td>McHenry Museum</td>
<td>1402 S Street</td>
<td></td>
</tr>
<tr>
<td>American Legion Hall</td>
<td>1021 S. Santa Cruz Ave</td>
<td></td>
</tr>
<tr>
<td>Addux Youth Center</td>
<td>615 Sierra Drive</td>
<td></td>
</tr>
<tr>
<td>Modesto Municipal Golf Course</td>
<td>400 Toulumne Boulevard</td>
<td>Added (March 2004)</td>
</tr>
<tr>
<td>Corporation Yard</td>
<td>601 N. Jefferson Street</td>
<td></td>
</tr>
<tr>
<td>Portable Bldg</td>
<td>115 Elm Street</td>
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</tr>
<tr>
<td>Transportation Center</td>
<td>9th Street &amp; J Street</td>
<td></td>
</tr>
<tr>
<td>Airport Terminal</td>
<td>617 Airport Way</td>
<td></td>
</tr>
<tr>
<td>Airport General Aviation</td>
<td>700 Tioga Drive</td>
<td></td>
</tr>
<tr>
<td>Sanitation Plant</td>
<td>1221 Sutter Ave</td>
<td></td>
</tr>
<tr>
<td>Amtrak Station</td>
<td>1700 Held Drive</td>
<td></td>
</tr>
<tr>
<td>Intersection of Hatch and Morgan</td>
<td>Hatch and Morgan</td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION ACCEPTING THE GROGAN PARK WELL TIVOLI PROJECT AS COMPLETE AUTHORIZING ALL NECESSARY STEPS TO FILE WITH THE COUNTY RECORDER, RELEASE SECURITIES AND PAYMENTS TOTALING $496,222 TO HYDRO-RESOURCES, INC., OF WINNEMUCCA, NEVADA

WHEREAS, the Grogan Park Well Tivoli Project has been completed by Hydro-Resources, Inc., of Winnemucca, NV in accordance with the contract agreement dated March 1, 2016,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Grogan Park Well Tivoli Project is hereby accepted as complete from said contractor, Hydro-Resources, Inc., of Winnemucca, NV, and that the City Clerk is authorized to complete all necessary steps to file with the County Recorder, release securities and payments totaling $496,222, as is authorized and provided in the contract.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of November, 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, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: Ridenour

ATTEST: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING PAYMENT OF INVOICE 1019-17 FROM WASTEWATER SOLIDS MANAGEMENT COMPANY OF YACHATS, OR, IN THE AMOUNT OF $41,700 FOR ADDITIONAL CLEANING OF DIGESTER OUTSIDE THE CONTRACTED AMOUNT

WHEREAS, on June 13, 2017, by Resolution No. 2017-235, Council authorized the award of bid for the furnishing of digester cleaning services to Wastewater Solids Management Company (Wastewater Solids), Yachats, OR, and

WHEREAS, on July 26, 2017, Wastewater Solids started the process of cleaning Digester #1, and

WHEREAS, the current contract requires staff to reduce the liquid volume in the two million gallon digester to 50% prior to the contractor beginning work, and

WHEREAS, staff took operational steps to remove the digester tank from service and reduce the volume in the tank to one million gallons several weeks prior to the contractor coming on site, and

WHEREAS, once the contractor was mobilized, set up and ready to pump and clean the digester tank, it was discovered that the tank level had increased back to 80% of capacity, and

WHEREAS, the contractor informed staff that additional pumping days would be required to complete the job, and

WHEREAS, the additional pumping and delay costs from cleaning Digester #1 was $58,082 and exceeds the initial project annual cost of digester cleaning, and
WHEREAS, as a courtesy, Wastewater Solids gave the City a discount of $16,382, thereby reducing the total costs to $41,700, and the costs are in addition to the annual $36,350 for Digester #1 cleaning, and

WHEREAS, staff investigated the cause of the “slow leak” and determined one of the large 24-inch isolation valves to the digester tank was not completely sealing, and

WHEREAS, the sealing failure was due to foreign material lodged in the valve and the valve is an isolation valve and is only used when the Digester is shut down for cleaning, and

WHEREAS, staff is unable to anticipate the problem prior to removing the digester from service and it is impossible to disassemble and repair the valve while the digester is full, and

WHEREAS, the contractor was directed to continue with the cleaning of the digester with the understanding there would be additional pumping costs, and

WHEREAS, this extra pumping cost was due to the leakage that occurred into the tank from the faulty valve as the contractor was reducing and cleaning the tank, which was not within the contracted scope of work, and resulted with the contractor having to be on site more than twice as long as anticipated, and

WHEREAS, staff has since excavated, removed the lodged debris, and repaired the faulty valve,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the payment of Invoice 1019-17, from Wastewater Solids Management Company of Yachats, OR, in the amount of $41,700 for additional cleaning of Digester outside of contracted amount.
The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 14th day of November, 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: ____________________________

(SEAL)

APPROVED AS TO FORM:

By: ______________________________

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING AN AMENDMENT TO THE ANNUAL PURCHASING AGREEMENT FOR HOT PATCH WORK WITH GARRETT THOMPSON CONSTRUCTION, INC., MODESTO, CA, TO INCREASE THE AMOUNT BY $2,533,893 FOR AN AGREEMENT TOTAL OF $9,061,000; AND AN AMENDMENT INCREASE OF $9,504 TO THE ANNUAL PURCHASING AGREEMENT FOR HOT PATCH WORK WITH UNITED PAVEMENT MAINTENANCE, HUGHSON, CA, FOR AN AGREEMENT TOTAL OF $256,517, AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO INCREASE THE ANNUAL PURCHASE AGREEMENT

WHEREAS, the Utilities Department uses contracted services to perform hot patch work throughout Modesto and the outlying areas which are included in the City’s regional water system, and

WHEREAS, in 2012 the City performed a competitive bid process for hot patch services as required by the Modesto Municipal Code (MMC), and on September 25, 2012 by Resolution 2012-386 City Council approved the award of bid to Garrett Thompson Construction, Inc. as the primary contractor, United Pavement Maintenance as the secondary, and Patch Crew as the third contractor for an estimated annual cost of $749,700, which equals $3,748,500 over five years, and

WHEREAS, during 2013 and 2014, work demands for contracted hot patch work exceeded staff estimates which increased the costs of hot patch work by Garrett Thompson Construction, and

WHEREAS, on December 9, 2014 by Resolution 2014-538, Council approved an increase in funds for $3.1 million to annual agreements issued to Garret Thompson Construction, United Pavement Maintenance, and Patch Crew which expired on September 24, 2017 and were for a total of $6,848,500, and
WHEREAS, during the summer of 2017, staff determined clerical errors were made by the Finance Department when the original agreements were established in 2012 and again in 2015 which caused an larger than authorized agreement amount to be entered into the system, and

WHEREAS, City staff is in the process of re-engineering the Purchasing Division and changing procedures to prevent this type of situation from reoccurring again in the future, and

WHEREAS, staff is seeking Council authority to increase the funds available under the purchasing agreement with Garrett Thompson Construction by $2,533,893 and with United Pavement Maintenance by $9,504 for a total of $2,538,397.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an amendment to the annual purchasing agreement for hot patch work with Garrett Thompson Construction, Inc., Modesto, CA, to increase the amount by $2,533,893 for an agreement total of $9,061,000; and an amendment increase of $9,504 to the annual purchasing agreement for hot patch work with United Pavement Maintenance, Hughson, CA, for an agreement total of $256,517.

BE IT FURTHER RESOLVED, that the Interim City Manager, or his designee, is authorized to amend the annual purchase agreements with Garrett Thomson Construction Inc., and United Pavement Maintenance.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of November, 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
RESOLUTION ACCEPTING THE STATE SUPPLEMENTAL LAW ENFORCEMENT GRANT, IN THE AMOUNT OF AT LEAST $100,000, FROM THE STATE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND TO BE USED FOR POLICE OVERTIME, TRAINING, TECHNOLOGY, AND EQUIPMENT AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE NECESSARY PROGRAM DOCUMENTS

WHEREAS, in 1996, the State Legislature passed, and the Governor signed, Assembly Bill 3229, the Supplemental Law Enforcement Services Act, and

WHEREAS, the purpose of the law is to provide additional resources for local law enforcement, and

WHEREAS, Supplemental Law Enforcement Services Fund (SLESF) monies cannot be transferred to, or intermingled with, the monies in any other fund except that monies may be transferred from the SLESF to the City’s General Fund to the extent necessary to facilitate the appropriation and expenditure of funds, and

WHEREAS, SLESF monies cannot be used to supplant existing budgeted funds, and

WHEREAS, a SLESF has been established in each county, and

WHEREAS, the funding for each county and city is based upon proportionate population, and

WHEREAS, the allocation to the City of Modesto, for Fiscal Year (FY) 2017/2018, of at least $100,000, to be made in four installments of $25,000 each.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts the State Supplemental Law Enforcement Grant, in the amount of at
least $100,000, from the State Supplemental Law Enforcement Services Fund for police overtime, training, technology, and equipment,

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is authorized to execute the necessary program documents accepting the State Supplemental Law Enforcement Grant.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of November, 2017, by Councilmember Grewal, 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, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: Ridenour

ATTEST:  

APPROVED AS TO FORM:

By:  

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING THE EXPENDITURE PLAN AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO AMEND THE FISCAL YEAR 2017/2018 MULTI-YEAR OPERATING BUDGET TO APPROPRIATE REVENUES AND EXPENDITURES OF AT LEAST $100,000 FOR THE CITY OF MODESTO’S ALLOCATION FROM THE STATE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND

WHEREAS, in 1996, the State Legislature passed, and the Governor signed, Assembly Bill 3229, the Supplemental Law Enforcement Services Act, and

WHEREAS, the purpose of the law is to provide additional resources for local law enforcement, and

WHEREAS, Supplemental Law Enforcement Services Fund (SLESF) monies cannot be transferred to, or intermingled with, monies in any other fund except that monies may be transferred from the SLESF to the City’s General Fund to the extent necessary to facilitate the appropriation and expenditure of funds, and

WHEREAS, SLESF monies cannot be used to supplant existing budgeted funds, and

WHEREAS, a SLESF has been established in each county, and

WHEREAS, the funding for each county and city is based upon proportionate population, and

WHEREAS, the allocation to the City of Modesto for Fiscal Year (FY) 2017/2018 of at least $100,000, to be made in four installments of $25,000 each, and

WHEREAS, the adopted FY 2017/2018 Police SLESF allocation in the amount of at least $100,000 will be applied to account number 1342-19998-42140-101059,
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the expenditure plan and authorizes the Interim City Manager, or his designee, to amend the Fiscal Year 2017/2018 Multi-Year Budget to appropriate revenues and expenditures of at least $100,000 for the City of Modesto’s allocation from the State Supplemental Law Enforcement Services Fund as shown in Exhibit A attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of November, 2017, by Councilmember Grewal, 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, Zoslocki, Mayor Brandvold
NOES: Councilmembers: None
ABSENT: Councilmembers: Ridenour

ATTEST: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]
Exhibit A

The SLESF allocation for Fiscal Year 2017/18 will be applied to:

FUND 1342 – Police Grants

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Increase/Decrease</th>
<th>Description</th>
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<tbody>
<tr>
<td>MY-13402-19998-42140-101059</td>
<td>$100,000</td>
<td>Intergov. – State – SLESF Revenue</td>
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<table>
<thead>
<tr>
<th>Expense</th>
<th></th>
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<tbody>
<tr>
<td>MY-101059-Appr A-51200</td>
<td>$ 5,000</td>
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<tr>
<td>MY-101059-Appr C-52301</td>
<td>$ 60,000</td>
</tr>
<tr>
<td>MY-101059-Appr C-53025</td>
<td>$ 9,000</td>
</tr>
<tr>
<td>MY-101059-Appr C-52300</td>
<td>$ 5,000</td>
</tr>
<tr>
<td>MY-101059-Appr C-52304</td>
<td>$ 16,000</td>
</tr>
<tr>
<td>MY-101059-Appr C-52305</td>
<td>$ 5,000</td>
</tr>
<tr>
<td></td>
<td>$100,000</td>
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RESOLUTION APPROVING ADJUSTMENTS TO VARIOUS AIRPORT RATES AND FEES FOR SPECIFIC ACTIVITIES AND SERVICES AT THE MODESTO CITY-COUNTY AIRPORT (AIRPORT), EFFECTIVE JANUARY 1, 2018, AND RESCINDING RESOLUTION NO. 2016-213

WHEREAS, the Modesto City-County Airport (Airport) is an enterprise fund and is expected to be self-supporting. The Airport has conducted a Local Airports Rate and Fee Market Analysis, and

WHEREAS, the Local Airports Rate and Fee Market Analysis revealed a deficiency in pricing of the Modesto City-County Airport rates and fees, and

WHEREAS, adjusting Airport Rates and Fees will increase revenue that will allow the airport to recover growing operational expenses, and

WHEREAS, on July 20, 2017, the Airport Advisory Committee (AAC) recommended this increase of various rates and fees be forwarded on to City Council for its consideration, and

WHEREAS, on September 13, 2017, the Healthy Economy Committee (HEC) recommended this increase of various rates and fees be forwarded on to City Council for its consideration.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves adjustments to various Airport Rates and Fees for specific activities and services at the Modesto City-County Airport as noted in Attachment A, attached hereto.

BE IT FURTHER RESOLVED that Resolution 2016-213 shall be rescinded on January 1, 2018 at 12 am.
BE IT FURTHER RESOLVED that this resolution shall go into effect and be in full force and operation on January 1, 2018.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of November, 2017, by Councilmember Kenoyer, 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: Councilmember: Ah You, Grewal, Kenoyer, Madrigal, Zoslocki, Mayor Brandvold

NOES: Councilmember: None

ABSENT: Councilmember: None

ATTEST: 

STEPHANIE LOPEZ, City Clgr

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
SECTION 1. HANGARS. Rental charges for the rental of hangars at the Modesto City-County Airport/Hairy Sham Field are hereby established as follows, payable in advance:

(a) T-Hangars and Storage Units as of July 2017

| Small T-Hangars (no electricity provided) | $178.50 per month |
| Hangar A Units 2-12 | Hangar B Units 2-9 |
| Hangar C Units 2, 3, 7 | Hangar D Units 2-5 & 7-9 |
| Small T-Hangars (electricity provided) | $209.00 per month |
| Hangar A Unit 1 | Hangar C Units 4-6 |
| Hangar D Unit 6 |
| Medium T-Hangars (no electricity provided) | $222.25 per month |
| Hangar B Units 1, 10 | Hangar C Unit 8 |
| Hangar D Unit 10 |
| Medium T-Hangars (electricity provided) | $279.90 per month |
| Hangar C Unit 1 | Hangar D Unit 1 |
| Hangar E Units 1-10 | Hangar F Units 1-10 |
| Hangar G Units 1-8, 10 | Hangar H Units 1-8, 10 |
| Hangar J Units 1-10 | Hangar L Units 1-10 |
| Large T-Hangars (electricity provided) | $328.88 per month |
| Hangar G Unit 9 | Hangar H Unit 9 |
| Hangar K Units 2-6, 8-11 |
| Large Modified Box Hangar (electricity provided) | $400.00 per month |
| Hangar K Unit 1 |
### Modesto City-County Airport Rates & Fees
**Effective July 1, 2017**

**Attachment A**

<table>
<thead>
<tr>
<th>Description</th>
<th>Price</th>
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</thead>
<tbody>
<tr>
<td>Extra Large T-Hangars</td>
<td>$328.88 per month</td>
</tr>
<tr>
<td>Hangar I Units 1-8</td>
<td></td>
</tr>
<tr>
<td>Hangar K Unit 7</td>
<td></td>
</tr>
<tr>
<td>Storage Units</td>
<td></td>
</tr>
<tr>
<td>Hangar I Storage Unit</td>
<td>$129.92 per month</td>
</tr>
<tr>
<td>Hangar J Storage Unit</td>
<td>$49.42 per month</td>
</tr>
<tr>
<td>Hangar L Storage Unit</td>
<td>$49.42 per month</td>
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</tbody>
</table>

All T-Hangars leased under Section 1 subparagraphs (a) with no electricity which later have electricity installed will increase to the electricity provided rate with corresponding T-Hangar size.

**b)** Corporate Executive Commercial Box Hangars

<table>
<thead>
<tr>
<th>Hangar</th>
<th>Price</th>
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</thead>
<tbody>
<tr>
<td>Hangar 1</td>
<td>$1,718.54 per month</td>
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<tr>
<td>Hangar 2</td>
<td>$1,399.60 per month</td>
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<tr>
<td>Hangar 3</td>
<td>$767.82 per month</td>
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<tr>
<td>Hangar 4</td>
<td>$1,307.89 per month</td>
</tr>
<tr>
<td>Hangar 5</td>
<td>$1,301.26 per month</td>
</tr>
<tr>
<td>Hangar 6</td>
<td>$762.21 per month</td>
</tr>
<tr>
<td>Hangar 7</td>
<td>$87.07 per month (ground lease)</td>
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**c)** Portable Hangars and Ground Lease

<table>
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<tr>
<th>Portable Hangars 1-14</th>
<th>Price</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>$70.31 per month</td>
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<table>
<thead>
<tr>
<th>Ground Lease (per sq. ft.)</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$0.057 per month</td>
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</tbody>
</table>

A five percent (5%) discount will be made in any of the above rental charges when a year’s lease is entered into and the year’s rental charges are paid in advance.
SECTION 2. AIRPORT KEYS

(a) Two (2) hangar keys and one (1) gate proximity card are included in initial lease

(b) $20.00 for each additional proximity card

(c) $45.00 for each additional hangar key

(d) $45 for each gate key

SECTION 3. TIE-DOWN FEES. Tie-down charges and fees at the Modesto City-County Airport/Harry Sham Field are hereby established as follows, payable in advance:

(a) Aircraft less than 12,500 lbs. maximum certificated gross landing weight
   Permanent $46.38 per month
   Transient $7.64 per day

(b) Aircraft greater than 12,501 lbs. maximum certificated gross landing weight
   Permanent $78.25 per month
   Transient $15.16 per day

A five-percent (5%) discount will be made in the rental charges set forth in Section 1 subparagraphs (a), (b), and (c), when a year’s lease is entered into and the year’s rental charges are paid in advance.

A volume discount may be given to Fixed Base Operators (FBO) that operate flight schools for light single and multi-engine aircraft (less than 12,500 lbs. of maximum certificated gross landing weight) for tie-down spaces as set forth in subsections (a) and (b) above. For every two tail-in spaces the FBO agrees to lease, one taxi-in tie-down may be leased for the same price as a tail-in tie-down.
Overnight tie-down of aircraft belonging to or in the custody or possession of a lessee at the Modesto City-County Airport/Harry Sham Field shall be subject to the normal tie-down charge as specified by this section.

SECTION 4. OFFICE SPACE. The monthly charge for office space(s) at the Modesto City-County Airport/Harry Sham Field are hereby established as follows:

Old Administration Building
Utilities furnished by Airport

Office Building(s) 1 & 2
Utilities furnished by Tenant

$.97 per sq. ft.

$.97 per sq. ft.

SECTION 5. TEMPORARY USE OF AIRPORT PASSENGER TERMINAL.

Organization and service providers desiring to temporarily use the passenger terminal will be charged a daily rate:

(a) Ticket counter ........................................... $.0.97 per square foot
(b) Other areas ............................................. $.0.97 per square foot

SECTION 6. AIRCRAFT CARRYING PASSENGERS AND/OR CARGO FOR HIRE.

Aircraft landing at the Modesto City-County Airport/Harry Sham Field shall pay a landing fee as follows:

(a) All aircraft weighing greater than 12,501 lbs. maximum certificated gross landing weight – $1.10 per 1,000 pounds per landing
(b) All transient aircraft owned and operated by individuals, companies, and corporations carrying their own products shall not be charged for the first two (2) trips per calendar months. All other trips for the same calendar month shall be charged at the same rates applied to nonscheduled aircraft carrying cargo for hire.
(c) No landing fee shall be charged for any aircraft, which lands at the airport due to any mechanical or other emergency, except weather, provided that such emergency is reported to the Airport Control Tower prior to landing.

SECTION 7. PASSENGER FACILITY CHARGE (PFC). Commercial air carrying passengers excluding “frequent flyers” or similar airline bonus award enplaning at Modesto City-County Airport/Harry Sham Field shall pay a PFC as approved by Federal Aviation Regulations (FAR) Part 158.

(a) Enplaned passenger by airline - $4.50 per ticketed passenger.

SECTION 8. ADVERTISEMENT CALLBOARD. Firms wishing to advertise in the airport passenger terminal shall have an approved agreement with the City of Modesto. A monthly charge shall be assessed for the use of the advertisement callboard as follows:

<table>
<thead>
<tr>
<th>Display Size</th>
<th>Display Only</th>
<th>Display &amp; Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.5” x 9.5”</td>
<td>$20.00</td>
<td>$30.00</td>
</tr>
<tr>
<td>7.5” x 21”</td>
<td>$40.00</td>
<td>$60.00</td>
</tr>
<tr>
<td>19” x 21”</td>
<td>$50.00</td>
<td>$70.00</td>
</tr>
</tbody>
</table>

SECTION 9. MODESTO CITY-COUNTY AIRPORT BASED COMMERCIAL SERVICES Any person engaging in a commercial enterprise based at the Modesto City-County Airport/Harry Sham Field shall pay to the City a fee equivalent to the City Business License Fees set forth in Chapter 1 of Title 6 of the Modesto Municipal Code, except that a minimum fee of $100 will be paid for each aircraft sold, for the privilege of engaging in business in the City of Modesto and on the Airport. Said sum shall be payable at the time and in the manner provided for in Chapter 1 of Title 6 of the Modesto Municipal Code.

SECTION 10. FUEL FLOWAGE FEES. A fuel flowage fee of seven cents ($0.07357) per gallon of fuel sold or dispensed on the Airport shall be collected for the City of Modesto by
the fuel vendors, except that reduced fuel flowage fees collected from scheduled air carriers can be negotiated for volume purchases.

SECTION 12. TEMPORARILY BASED COMMERCIAL SERVICES. Any person engaging in a commercial enterprise, temporarily based at the Modesto City-County Airport/Harry Sham Field, shall pay to the City a license fee in the sum of two hundred and no/100ths ($200.00) dollars, payable in advance.

Each such operator shall also pay to the City as a minimum an additional sum of ninety and no/100ths ($90.00) dollars per month, or any portion thereof, payable in advance, for the privilege of using the Airport and its facilities.

SECTION 12. OFF-AIRPORT CAR RENTAL OPERATOR FEE. Off-airport operators picking up customers at the Modesto City-County Airport/Harry Sham Field will pay to the City of Modesto ten percent (10%) of gross receipt for each vehicle rental. Additionally, the operators will be assessed a parking fee at the same rate on-airport car rental operators are charged for vehicles left in the public parking area overnight.

SECTION 13. MOTOR VEHICLE STORAGE CHARGES. Any person who parks a motor vehicle in Terminal Building Parking Lots at the Modesto City-County Airport/Harry Sham Field shall pay seven and no/100ths ($7.00) dollars per day or forty-two and no/110ths ($42.00) dollars per week.

SECTION 14. PENALTIES. A five percent (5%) per month penalty charge shall be made on any of the charges and fees established by this resolution when such charges and fees are not paid within thirty (30) days after they are due and payable. No penalties will be collected on the PFC.
SECTION 15. ADJUSTMENT OF RENTS, FEES AND CHARGES.

Rates and fees for the Airport may be adjusted from time to time by Resolution of the City Council.

For other than fair market value adjustments, said rents, fees, and charges shall be adjusted in the following manner: The base for computing the adjustment is the National Consumer Price Index for All Urban Consumers, West Urban Area, published by the United States Department of Labor, Bureau of Labor Statistics ("Index"), with a base year of 1982 – 1984 = 100 ("Beginning Index"). In no case shall the minimum rents, fees and charges be less than existing approved and adopted rents, fees and charges.
RESOLUTION REJECTING ALL BIDS RECEIVED TO REQUEST FOR BID NO. 1718-05 FOR HOT PATCH WORK

WHEREAS, the Utilities Department uses contracted services to perform hot patch work throughout Modesto and the outlying areas which are included in the City’s regional water system; and

WHEREAS, the Interim City Manager authorized the Purchasing Department to issue Request for Bid (RFB) No. 1718-05 for Hot Patch Work on July 21, 2017; and

WHEREAS, after reviewing the bids received and bid package, it was determined that staff needed to amend the original Scope of Service to ensure a more competitive process and eliminate ambiguity in the original scope; this determination was based on the significant price variances between vendors; and

WHEREAS, the Utilities Department, Water Division, will work with the Finance Department to amend the Scope of Services to better define the project and Purchasing will work on updating the bid process; and

WHEREAS, until a new agreement is awarded by Council, the Public Works Department will be handling all Hot Patch Work for the Utility Division.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves rejecting all bids received to Request for Bid No. 1718-05 for Hot Patch work.
The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 14th day of November, 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: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING THE AWARD FOR PROPOSAL FOR POLYGRAPH SCREENINGS TO TTI POLYGRAPH, BENICIA, CA, FOR A TWO-YEAR AGREEMENT WITH THREE ONE-YEAR EXTENSION OPTIONS AT THE SOLE DISCRETION OF THE CITY, FOR AN ANNUAL COST NOT TO EXCEED $93,750, AND $468,750 OVER FIVE YEARS, AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO ISSUE A PURCHASING AGREEMENT

WHEREAS, the Modesto Police Department has a need for polygraph services as part of the recruitment process, and

WHEREAS, the Police Department expects to need no more than 250 polygraph screenings per year for an annual cost of $93,750, and

WHEREAS, the Interim City Manager authorize[s] the Purchasing Manager to issue formal Requests for Proposal (RFP) for polygraph services, and

WHEREAS, the Purchasing Division issued RFP No. 1617-06 Polygraph Examination Services on the City’s website under commodity codes for polygraph screening services and polygraph screening equipment and supplies, and three companies chose to download the RFP document, and

WHEREAS, bids were formally opened in the City Clerk’s Office and three companies chose to respond, none of which were a local vendor. All companies provided responsive and responsible bids, and

WHEREAS, based on the responsive and responsible bids received, City staff recommends the award for proposal for polygraph services to TTI Polygraph, Benicia, CA, and

WHEREAS, Modesto Municipal Code Section 8-3.203 generally requires all purchases, which meet or exceed $50,000 for material, equipment or contractual services
to be formally proposed. The award for proposal for polygraph screenings to TTI Polygraph, Benicia, CA, conforms to the Modesto Municipal Code, 8-3.203, and

WHEREAS, the cost for this purchase agreement will be covered through the existing budget in 0100-19420-53300.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that it hereby approves the award for proposal for polygraph services to TTI Polygraph, Benicia, CA, for a two-year purchase agreement with three one-year extension options at the sole discretion of the City, for an annual cost not to exceed $93,750 or a total of up to $468,750 over five years.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to issue the purchasing agreement,
The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto held on the 14th day of November, 2017, by Councilmember Zoslocki, 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
RESOLUTION RETROACTIVELY APPROVING PURCHASING AGREEMENTS WITH NOONAN AND HART INVESTIGATIVE SERVICES, INC., PLEASANTON, CA, AND STI INVESTIGATIONS, BENICIA, CA, FOR $184,136 AND $116,377, RESPECTIVELY, FOR A TERM OF 5 YEARS ENDING SEPTEMBER 22, 2019; AND RETROACTIVELY INCREASING PURCHASING AGREEMENT WITH SIMPSON INVESTIGATIVE SERVICES GROUP, PLEASANT HILL, CA, BY $150,353, FOR TOTAL AGREEMENTS OF $800,866 OVER 5 YEARS WITH ALL FOUR COMPANIES, INCLUDING RANK INVESTIGATIONS WITH WHOM NO CHANGE IS REQUIRED, AND AUTHORIZING THE FINANCE DIRECTOR, OR DESIGNEE, TO ADJUST AGREEMENT TOTALS BASED ON THE WORK CAPACITY FOR THE VENDORS, ENSURING THE OVERALL AGREEMENT TOTAL BETWEEN THE FOUR VENDORS WILL NOT CHANGE.

WHEREAS, the City of Modesto entered into a contract with Simpson Investigative Services Group, Inc. as ‘primary’ contractor, and with Rank Investigations and Protection, Inc. as ‘secondary’ contractor, by Resolution No. 2014-359 in 2014 for an estimated annual cost of $35,000 or a total cost of $175,000 each, which equals $350,000 over a five year period, and

WHEREAS, the City entered into agreements with Noonan and Hart Investigative Services Inc. in February, 2015, in the amount of $345,000 without Council approval, and

WHEREAS, the City entered into agreements with STI Investigations in June, 2015, in the amount of $45,000; and

WHEREAS, the Purchasing staff in the Finance Department increased the agreement amount in the accounting system with Simpson Investigative Services from the Council approved amount of $175,000 to $500,000 without Council authorization, and

WHEREAS, these agreements expire on September 22, 2019, and
WHEREAS, since 2014, the City has continued to see an increased need for background investigations related to the recruitment process in order to find viable sworn and non-sworn candidates, and

WHEREAS, this demand significantly exceeded staff estimates in 2014 when the original agreement was competitively bid and has resulted in the need to increase the amount of the annual agreement with the four background investigation vendors, and

WHEREAS, the four background investigation vendors have successfully been able to meet the demands by the City for background investigations in conjunction with in-house background investigators who are retired law enforcement personnel, and

WHEREAS, Finance staff created purchasing authority under agreements Nos. 69596, 72942, 79675 and 67751 for a combined total authority of $1,065,000, and

WHEREAS, expenditures to date for background investigations total $379,278, and

WHEREAS, the background investigations agreements were accessed by the Modesto Fire Department and the IT Department, and

WHEREAS, staff anticipates it will continue to need background investigations from Noonan and Hart Investigative Services, Inc., Rank Investigation and Protection, Inc., Simpson Investigative Services Group, and STI Investigations in order to continue the recruitment process to fill the growing vacancies in the Police, Fire and Information and Technology Departments, and

WHEREAS, staff is seeking Council authority to retroactively increase the funds available under the purchasing agreements with the four background investigation vendors by $450,866 to $800,866 from $350,000.
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby retroactively approves purchasing agreements with Noonan and Hart Investigative Services, Inc., and STI Investigations, for $184,136 and $116,377 respectively, for a term of 5 years ending September 22, 2019, and

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it hereby retroactively approves increasing purchasing agreement with Simpson Investigative Services Group by $150,353, for a total of $325,353, and

BE IT FURTHER RESOLVED that the Finance Director, or designee, is authorized to adjust agreement totals based on the work capacity of the vendors, provided that the total cost the four agreements (Noonan and Hart Investigative Services, STI Investigation, Simpson Investigative Services Group and Rank Investigation and Protection) does not exceed $800,866 over 5 years, and

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to increase and execute the annual purchasing agreements and prepare and execute consultant services agreement amendments, in a form approved by the City Attorney and consistent with this resolution, with Noonan and Hart Investigative Services, STI Investigation, Simpson Investigative Services Group and Rank Investigation and Protection.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of November, 2017, by Councilmember Ridenour, 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

(Seal)

ATTEST:  

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney