RESOLUTION ACCEPTING THE RESIGNATION OF JOSEPH SANCHEZ
FROM THE CITY OF MODESTO CULTURE COMMISSION

WHEREAS, Joseph Sanchez was appointed to serve as a member of the Culture
Commission on September 5, 2017, and

WHEREAS, Joseph Sanchez tendered his resignation from the Culture
Commission on February 7, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of
Modesto hereby accepts the resignation of Joseph Sanchez from the Culture Commission,
with regret.
The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 3rd day of April, 2018 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 ACCEPTING THE RESIGNATION OF JOSEPH SANCHEZ FROM THE CITY OF MODESTO LANDMARK PRESERVATION COMMISSION

WHEREAS, Joseph Sanchez was appointed to serve as a member of the Landmark Preservation Commission (LPC) on December 5, 2017, by City Council Resolution 2017-479, and

WHEREAS, Joseph Sanchez tendered his resignation from the LPC on February 5, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts the resignation of Joseph Sanchez from the LPC.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 2018 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
MODESTO CITY COUNCIL
RESOLUTION NO. 2018-132

RESOLUTION ACCEPTING THE 2017 GENERAL PLAN ANNUAL REPORT, AND DIRECTING STAFF TO SUBMIT IT TO THE STATE OF CALIFORNIA GOVERNOR'S OFFICE OF PLANNING & RESEARCH AND THE DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

WHEREAS, California Government Code Section 65400(a)(2) requires that local governments prepare an annual progress report regarding General Plan implementation, including matters related to meeting the applicable share of regional housing needs (California Government Code Section 65584), and

WHEREAS, on March 5, 2018, the City of Modesto Planning Commission voted to recommend that the Council of the City of Modesto accept the 2017 General Plan Annual Report for submission to the Governor’s Office of Planning and Research and to the California Department of Housing and Community Development.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts the 2017 General Plan Annual Report.

BE IT FURTHER RESOLVED that the Clerk is hereby directed to submit the 2017 General Plan Annual Report to the Governor’s Office of Planning and Research and to the California Department of Housing and Community Development.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 2018, 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: 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 AN AGREEMENT WITH RALPH ANDERSEN AND ASSOCIATES IN THE AMOUNT NOT TO EXCEED $71,500 TO CONDUCT THE RECRUITMENT FOR DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT, CHIEF BUILDING OFFICIAL AND TRAFFIC ENGINEER AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT

WHEREAS, the Director of Community and Economic Development, Chief Building Official, and Traffic Engineer are critical staff needed to meet the City's strategic commitments, and

WHEREAS, the Director of Community and Economic Development, Chief Building Official and Traffic Engineer positions are currently vacant and are identified as critical positions and difficult to fill, and

WHEREAS, the Director of Human Resources has received four proposals from executive recruitment firms, and

WHEREAS, staff recommends the City retain the services of Ralph Andersen and Associates to conduct the recruitments because of their previous successful recruitments, and

WHEREAS, consultant’s professional fee of $25,000 for the Director recruitment plus a discounted amount of $23,500 for the Chief Building Official and a further discounted fee of $23,000 for the Traffic Engineer will total $71,500 for these recruitments, and

WHEREAS, in addition to these professional fees, the City is responsible for all candidate expenses related to on-site interviews.
NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Modesto hereby approves an agreement with Ralph Andersen and Associates in the amount not to exceed $71,500, to conduct the recruitment for Director of Community and Economic Development, Chief Building Official and Traffic Engineer.

BE IT FURTHER RESOLVED, that the Interim City Manager, or his designee, is authorized to execute an 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 3rd day of April, 2018, 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: 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 APPOINTING MONICA HOUSTON AS CITY AUDITOR, APPROVING A CITY AUDITOR EMPLOYMENT AGREEMENT, SETTING TERMS OF EMPLOYMENT, SALARY AND BENEFITS AND AUTHORIZING THE MAYOR, OR HIS DESIGNEE TO EXECUTE THE AGREEMENT

WHEREAS, the City Auditor provides independent oversight of City operations through conduct of performance audits, and other audit work as directed by Council; and

WHEREAS, it was determined, as part of the Fiscal Year 2017-2018 budget process, that the City Auditor will be recruited for employment; and

WHEREAS, the City Auditor will be directly responsible to the City Council to improve City government and would manage the City's auditing duties; and

WHEREAS, the City Council now desires to appoint Monica Houston to serve as City Auditor, pursuant to the terms of her Employment Agreement that will be presented at the Council meeting.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Modesto hereby resolves that:

1. Monica Houston is hereby appointed as City Auditor, pursuant to the terms of the Employment Agreement.

2. While employed as City Auditor, Ms. Houston shall perform the functions, duties and exercise all the powers of the City Auditor specified in the City Auditor job description/classification of the City of Modesto Charter and Municipal Code.

BE IT FURTHER RESOLVED, that the Mayor, or his designee is 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 3rd day of April, 2018, 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

ATTEST: [Signature]

STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION AWARDING THE BID AND CONTRACT TO ONE DIVERSIFIED LLC, OF PLEASANTON, CALIFORNIA FOR THE MASTER CONTROL BROADCAST FACILITY UPGRADE PROJECT IN THE AMOUNT OF $132,077 AND $6,604 IN PROJECT CONTINGENCY FOR A TOTAL AMOUNT NOT TO EXCEED $138,681 AND AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE AGREEMENT

WHEREAS, the Master Control Broadcast Facility provides monitoring and control of content for the City's Government Channel; and

WHEREAS, the Master Control Broadcast Facility equipment requires replacement; and

WHEREAS, the City and County solicited bids to upgrade the Master Control Broadcast Facility equipment; and

WHEREAS, One Diversified LLC was the lowest and most responsive bidder at $132,077; and

WHEREAS, a project contingency amount of $6,604 will be utilized for unexpected project costs; and

WHEREAS, the expenditures for this project have been budgeted in the FY 2017-18 operating budget in the Information Technology Education & Government Cable Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby awards the bid and contract to One Diversified LLC, of Pleasanton, California for the Master Control Broadcast Facility upgrade project in the amount of $132,077, with $6,604 in project contingency for a total amount not to exceed $138,681.
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 3rd day of April, 2018, 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: 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. LINDGREN, City Attorney
RESOLUTION AUTHORIZING THE PROJECT BUDGET ADJUSTMENT
101099 IT IN THE AMOUNT OF $138,681 AND AUTHORIZING THE INTERIM
CITY MANAGER OR HIS DESIGNEE TO MAKE THE APPROPRIATE
ADJUSTMENTS

WHEREAS, the Master Control Broadcast Facility provides monitoring and
control of content for the City’s Government Channel; and

WHEREAS, the Master Control Broadcast Facility requires replacement; and

WHEREAS, One Diversified LLC was the lowest and most responsive bidder at
$132,077; and

WHEREAS, a project contingency amount of $6,604 will be utilized for
unexpected project costs; and

WHEREAS, the Fiscal Year 2017-2018 Capital Improvement Program Budget
will be amended in the amount of $138,681 as identified in Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto
that it authorizes the project budget adjustment 101099 IT in the amount of $138,681.

BE IT FURTHER RESOLVED, that the Interim City Manager or his designee is
hereby authorized to make the appropriate adjustments.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 2018, 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: 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

To Fully Fund CIP project 101099 – Master Control Facility upgrade Project the following budget adjustments are necessary:

Project Budget Adjustment: 101099 IT – Master Control Facility Upgrade Project

<table>
<thead>
<tr>
<th>Consultant Charges</th>
<th>$132,077</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contingency CIP</td>
<td>$6,604</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$138,681</strong></td>
</tr>
</tbody>
</table>
MODESTO CITY COUNCIL
RESOLUTION NO. 2018-137

RESOLUTION APPROVING THE AWARD OF BID AND ISSUANCE OF A PURCHASE ORDER TO DOCON, INC., MODESTO, CA, IN THE AMOUNT OF $25,894 FOR THE JOHN THURMAN FIELD SHADE NETTING PROJECT, AND AUTHORIZING THE PURCHASING MANAGER, OR HER DESIGNEE, TO ISSUE A PURCHASE ORDER

WHEREAS, Council approved an agreement with HWS Baseball, IV. LLC, operating as The Modesto Nuts (NUTS) for the use, operation and management of John Thurman Field by Resolution 2016-503, and

WHEREAS, Council also established a fund for capital improvements to be made to the stadium by Resolution 2016-504, and

WHEREAS, the list of 2018 capital improvements were reviewed by Council on October 24, 2017, and

WHEREAS, Council amended the fiscal budget by Resolution 2017-413 to fund CIP Project #101019, and

WHEREAS, installing shade netting fabric was determined to be one of the top priority projects to complete prior to the 2018 season, and

WHEREAS, the project was bid on February 1, 2018, and

WHEREAS, DOCON, Inc. of Modesto, CA was the only bidder to respond to the bid request, and

WHEREAS, the one bid was determined to be reasonable and fair, and

WHEREAS, DOCON, Inc. was also awarded a purchase order to install premium seating at John Thurman Field, and

WHEREAS, the two projects for DOCON, Inc. would constitute combined projects totaling more than $50,000.
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves award of the bid to DOCON, Inc. for shade netting fabric at John Thurman Field in the amount of $25,894.

BE IT FURTHER RESOLVED, that the Purchasing Manager, or her designee, is authorized to issue a purchasing order.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 2018, 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: 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 AN AGREEMENT WITH OFFICER GERALD
BOHANAN FOR THE PURCHASE OF RETIRED CITY OF MODESTO POLICE
CANINE RIKO; AND AUTHORIZING THE INTERIM CITY MANAGER, OR
HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, the Chief of Police for the City of Modesto, from time to time,
officially retires police canines from departmental service, and

WHEREAS, Modesto Police K-9 Riko has reached an age where he is unable to
perform at a satisfactory level with a new handler or partner, and

WHEREAS, City of Modesto police canine handler, Officer Gerald Bohanan,
wishes to purchase and assume possession of his assigned canine, Riko, upon the dog’s
official retirement, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto
that it hereby approves the agreement with Officer Gerald Bohanan for the purchase of
retired police canine Riko.

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 3rd day of April, 2018, 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: 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 AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO POLICE CANINE ASSOCIATION FOR THE DONATION AND TRANSFER OF CANINE HANK, TO THE CITY OF MODESTO FOR USE AS A POLICE CANINE; AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, the Modesto Police Canine Association purchased Hank, a German Shepherd/Belgian Malinois mix from Gold Coast K-9, Moorpark, CA on June 13, 2017, for $11,200, with the intent to donate him to the Modesto Police Department once he was certified, and

WHEREAS, Hank was certified on September 27, 2017, and the Modesto Police Canine Association would like to donate Hank to the City, for use as a police canine, and

WHEREAS, the City will assume all liability for risk and dangers relating to City’s ownership of Hank, and

WHEREAS, there is no fiscal impact to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the agreement between the City of Modesto and Modesto Police Canine Association for the donation and transfer of canine Hank for use as a police canine.

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 3rd day of April, 2018, 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: 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 SOLE SOURCE PROCUREMENT FOR PARKING GARAGE AUTOMATED SYSTEM EQUIPMENT AND FIELD SERVICES FROM AMANO MCGANN, INC., ROSEVILLE, MN, FOR A FOUR YEAR AGREEMENT WITH AN ANNUAL COST NOT TO EXCEED $45,000, AND A TOTAL COST NOT TO EXCEED $180,000, AND AUTHORIZING THE PURCHASING MANAGER, OR HER DESIGNEE, TO ISSUE THE PURCHASING AGREEMENT

WHEREAS, the Parking Services Division manages the automated parking revenue collection systems for the City’s three parking garages, and

WHEREAS, on March 2, 2010, by Resolution 2010-076, Council approved the results and recommendation of staff for the purchase of an Automated Parking System for the City Garages, and

WHEREAS, on June 6, 2017, by Resolution 2017-209, Council approved an agreement with Amano McGann, Inc. for software and back office hardware for continued Payment Card Industry (PCI) compliance, and

WHEREAS, the PCI agreement did not include the other approximately 54 pieces of equipment, such as gates, dispensers, pay stations, readers, validators, intercoms, and signs that are in the parking system. This agreement would allow Parking Services to purchase necessary parts and occasional onsite service as necessary. Parking Services staff does 99% of field repairs with an occasional need for factory-trained personnel, and

WHEREAS, this sole source procurement agreement for parking garage automated system equipment and field services from Amano McGann, Inc., Roseville, MN, for a four year Agreement with an annual cost not to exceed $45,000, and a total cost not to exceed $180,000, and
WHEREAS, sufficient funds are budgeted annually in the following appropriation unit: 4000-53250-51350, and

WHEREAS, Modesto Municipal Code (MMC) 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, Modesto Municipal Code (MMC) Section 8-3.204(b) states one exception to the formal bid process is “where the Purchasing Agency’s requirements can be met solely by a single article or process”, and

WHEREAS, the purchase of equipment and parts that are available only from the original equipment manufacturer conforms to the MMC 8.3-204(b) as the Purchasing Manager has determined that this purchase meets the sole source requirements. Another exception is under, Modesto Municipal Code Section 8-3.203(d) when the Purchasing Manager, in his or her discretion, determines that a process other than the formal bid procedure set forth in Section 8-3.203 will result in a procurement for the City at the lowest possible cost commensurate with the desired quality. Acting within her discretion, the Purchasing Manager invoked these exceptions for this agreement.

NOW, THEREFORE, BE IT RESOLVED the sole source procurement for parking garage automated system equipment and field services from Amano McGann, Inc., Roseville, MN, for a four year Agreement with an annual cost not to exceed $45,000, and a total cost not to exceed $180,000.

BE IT FURTHER RESOLVED, that the Purchasing Manager, or her designee, is authorized to issue the purchasing agreement.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3\textsuperscript{rd} day of April, 2018, 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:** Councilmembers: Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

\[\text{ATTEST:} \quad \text{STEFANIE LOPEZ, City Clerk}\]

(SEAL)

APPROVED AS TO FORM:

By: \[\text{ADAM U. LINDGREN, City Attorney}\]
RESOLUTION APPROVING THE PURCHASE OF NINE BMW POLICE MOTORCYCLES FROM CYCLE SPECIALTIES, MODESTO, CA FOR A TOTAL COST NOT TO EXCEED $256,576, AND AUTHORIZING THE PURCHASING MANAGER, OR HER DESIGNEE, TO ISSUE THE PURCHASE AGREEMENT

WHEREAS, the purchase of nine BMW police motorcycles are replacement units and will be used by the Modesto Police Department, and

WHEREAS, replacement units are essential in maintaining current operations, facilities and/or services for the Police Department, and

WHEREAS, these units will replace traffic motorcycles that will reach their mileage cap this fiscal year and will replace units that have been involved in a collision and are considered a total loss, and

WHEREAS, the Purchasing Division issued RFB 1718-12 for the purchase of four BMW police motorcycles on the City’s website and one company chose to respond, and

WHEREAS, four units were originally bid that were budgeted in Fiscal Year 2016-2017, and five additional units have been budgeted in Fiscal Year 2017-2018, and

WHEREAS, in addition, per RFB 1718-12, Technical Specifications and Requirements, page 33 (9) Supplementary Orders states: The Department retains the right to place supplementary orders, either upon issuance of the Purchase Order or by a Purchase Order change within 120 calendar days after the Purchase Order date. In the event the Department exercises such increase option, the vendor shall agree to furnish to the Department the additional quantity of units ordered at the bid price, and

WHEREAS, based on providing the overall lowest responsive and responsible
bid, staff recommends the award of bid for the purchase of nine BMW police
motorcycles to Cycle Specialties, Modesto, CA for a total not to exceed $256,576, and

WHEREAS, sufficient funds for four replacement BMW motorcycles have been
encumbered Fiscal Year 2016-2017 and five replacement BMW motorcycles were
budgeted in Fiscal Year 2017-2018 in the Fleet Replacement Fund No: 5409-53246-
57003. Funding for these vehicles was collected through the Internal Service Fund (ISF)
via straight-line depreciation over the life of the vehicles.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto
that it hereby approves the award of nine BMW police motorcycles to Cycle Specialties,
Modesto, CA for a total not to exceed $256,576.

BE IT FURTHER RESOLVED that the Purchasing Manager, or her designee, is
hereby authorized to issue this purchasing agreement.
The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 3rd day of April, 2018, 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: Councilmembers: Ah You, Grewal, Kenoyer, Madrigal, Ridenour,
Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST:  

STEFHANNIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING THE PURCHASE OF ONE NEW MINI EXCAVATOR FROM VOLVO CONSTRUCTION EQUIPMENT AND SERVICES, TURLOCK, CA FOR A TOTAL COST NOT TO EXCEED $50,390, AND AUTHORIZING THE PURCHASING MANAGER, OR HER DESIGNEE, TO ISSUE THE PURCHASE AGREEMENT

WHEREAS, the purchase of one new mini excavator from Volvo Construction Equipment and Services, Turlock, CA for a total cost not to exceed $50,390, will be a new addition to the City’s fleet equipment and used by the Utilities Department, and

WHEREAS, the Utilities Department is currently renting this piece of equipment for State mandated water meter installation program and is needed indefinitely, and

WHEREAS, continuing to rent this piece of equipment through the completion of this piece of equipment will far exceed the purchase price, and

WHEREAS, this equipment will also be utilized to complete water system maintenance and other Capital Improvement Projects where access is limited to smaller equipment, and

WHEREAS, the Purchasing Division issued RFB 1718-20 for the purchase of one new mini excavator on the City’s website and five companies chose to respond, and

WHEREAS, all five companies provided responsive and responsible bids, and software was a critical component of the bid documents, based on providing the overall lowest responsive and responsible bid, staff recommends the award of bid for the purchase of one new mini excavator to Volvo Construction Equipment and Services, Turlock, CA for a total not to exceed $50,390, and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the award of one mini excavator to Volvo Construction
Equipment and Services, Turlock, CA for a total cost not to exceed $50,390.

BE IT FURTHER RESOLVED that the Purchasing Manager, or her designee, is hereby authorized to issue this purchasing agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 2018, 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: 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. LINDGREN, City Attorney
RESOLUTION APPROVING A GRANT OF TEMPORARY CONSTRUCTION EASEMENT TO THE CITY OF TURLOCK FOR 1.13 ACRES (49,439 SQUARE FEET) PORTION OF REAL PROPERTY, LOCATED AT 4000 WEST MAIN AVENUE IN MODESTO (APN 058-001-001), FOR THE NORTH VALLEY REGIONAL RECYCLED WATER PROJECT, AND AUTHORIZING THE INTERIM CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE GRANT OF TEMPORARY CONSTRUCTION EASEMENT

WHEREAS, the City of Modesto is the lead agency for the North Valley Regional Recycled Water Project (the Project), and

WHEREAS, the Project will convey treated wastewater via pipeline from the City’s Jennings Treatment Facilities to the Delta-Mendota Canal via a new pump station and underground pipelines, to serve irrigation customers of the Del Puerto Water District (DPWD), and

WHEREAS, the City of Turlock is a participant in the project and will deliver treated wastewater from Turlock to the Jennings Treatment Facilities pump station via pipeline, located at Jennings Ranch in Modesto (APN 022-001-005), and

WHEREAS, on March 6, 2018 by Resolution 2018-105 the City of Modesto approved an easement agreement with Turlock to route its pipeline through Modesto’s Jennings Ranch to Modesto’s North Valley Regional Recycled Water Treatment Pump Station, and

WHEREAS, Turlock’s treated wastewater will be added to Modesto’s treated wastewater and delivered to the Del Puerto Water District’s Delta-Mendota Canal, and

WHEREAS, on July 7, 2015 by Resolution 2015-239, Modesto certified the Final Master Environmental Impact Report for the North Valley Regional Recycled Water Project in accordance with the California Environmental Quality Act (CEQA), and
WHEREAS, the City of Modesto, the owner of the Subject Property, has agreed to grant to the City of Turlock a Temporary Construction Easement to allow an area for material staging and other construction activities on a 1.13 acres (49,439 square feet) portion of City of Modesto’s property adjacent to West Main Avenue in Jennings Ranch, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a Grant of Temporary Construction Easement to the City of Turlock for a temporary construction easement, over 1.13 acres (49,439 square feet) area of the Subject Property located at Jennings Ranch in Modesto (APN 058-001-001), for the North Valley Regional Recycled Water Project.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute the Grant of Temporary Construction Easement, and all related documents required.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 2018, 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: 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 PLANS AND SPECIFICATIONS FOR THE
DEL RIO REPLACEMENT WELL 271 PROJECT, ACCEPTING THE BID, AND
APPROVING A CONTRACT WITH NOR-CAL PUMP & WELL DRILLING,
INC. OF YUBA CITY, CA IN THE AMOUNT OF $426,417, AND AUTHORIZING
THE INTERIM CITY MANAGER OR HIS DESIGNEE, TO EXECUTE THE
CONTRACT

WHEREAS, specifications have been prepared for the Del Rio Replacement Well
271 Project, and City staff recommends approval by the City Council, and

WHEREAS, the bids received for the Del Rio Replacement Well 271 Project
were opened at 11:00 a.m. on February 13, 2017 for the consideration of the Council, and

WHEREAS, the Director of Utilities has recommended that the bid of $426,417
received from Nor-Cal Pump & Well Drilling, Inc., be accepted as the lowest responsible
and responsive bid and the contract be awarded to Nor-Cal Pump & Well Drilling, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto
that it hereby approves the specifications for the Del Rio Replacement Well 271 Project,
accepts the bid of $426,417, and awards Nor-Cal Pump & Well Drilling, Inc. of Yuba
City, CA, the contract for the Del Rio Replacement Well 271 Project.

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 3rd day of April, 2018, 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:   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 AUTHORIZING AN INCREASE IN THE DIRECTOR’S AUTHORITY TO ISSUE CHANGE ORDERS FOR THE DEL RIO REPLACEMENT WELL 271 PROJECT FROM 10 PERCENT ($42,642) TO 25 PERCENT ($106,604) OF THE CONSTRUCTION CONTRACT AMOUNT

WHEREAS, on April 3, 2018, the City Council is concurrently awarding a $426,417 contract Nor-Cal Pump & Well Drilling, Inc., of Yuba City, CA, for the construction of the Del Rio Replacement Well 271 Project, and

WHEREAS, the City owns and operates the outlying water system in the community of Del Rio, and

WHEREAS, given the nature of the project, additional work may be needed to address unexpected conditions that require changes in project scope that may exceed the Director’s change order authority of 10%, as established by the Council’s Change Order Approval Policy adopted by Resolution No. 94-443, and

WHEREAS, the Director of Utilities currently has authority to approve change orders up to a cumulative amount of 10% ($42,642), and

WHEREAS, staff recommends that the Director’s change order authority be increased to 25% ($106,604).

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the Director of Utilities to issue change orders for the Del Rio Replacement Test Well Project from 10 percent ($42,642) to 25 percent ($106,604) of the construction contract.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 2018, 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: 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 IN SUPPORT OF THE REDUCING CRIME AND KEEPING CALIFORNIA SAFE ACT OF 2018

WHEREAS, in 2011, Assembly Bill (AB) 109, Public Safety Realignment, was passed in California in order to comply with a federal court order to reduce the California prison population by altering the criminal justice system and shifting housing for low level offenders from state prisons to local county jails, and transferring the community supervision of designated parolees from the California Department of Corrections and Rehabilitation (CDCR) to local county probation departments; and

WHEREAS, in 2014 Proposition 47, the Safe Neighborhoods and Schools Act was passed as a follow-up to AB 109 to reduce prison spending and further reduce the prison population, which resulted in reduced penalties for certain “non-serious, non-violent crimes” from felonies to misdemeanors, and allowed certain offenders for one or more of the specified crimes, to apply for a reduced sentence; and

WHEREAS, Proposition 47 created a Safe Neighborhoods and Schools Fund that would receive appropriations based on the state savings; and

WHEREAS, since the passage of these legislations, California has had the largest increase in violent crime compared to the rest of the nation, and second highest increase in theft and property crimes between 2014 and 2016; and

WHEREAS, in 2015, the value of stolen property totaled $2.5 billion, a 13% increase from 2014, according to the California Department of Justice; and

WHEREAS, in October 2017, a statewide ballot measure was filed with the Secretary of State by the California Public Safety Partnership (CAPSP), public safety
leaders, crime victims, child advocates and business leaders, in an attempt to fix the problems brought forth by recent criminal justice reforms; and

WHEREAS, the Reducing Crime and Keep California Safe Act of 2018 seeks to address the unintended consequences of previous California legislation and increase opportunities for rehabilitation, while lowering recidivism and incarceration rates; and

WHEREAS, revisions will include reforms to laws so felons who violate the terms of their release be brought back to court and held accountable for such violations, enact reforms for those who repeatedly steal to support their drug problem requiring them to enter into existing drug treatment programs, restores DNA collection from persons convicted of theft and drug offenses, and protects safeguards that protect the privacy of individuals by allowing for the removal of their DNA profile if they are not charged with a crime, are acquitted or are found innocent.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby supports the Reducing Crime and Keeping California Safe Act of 2018.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 2018, 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: 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