RESOLUTION ACCEPTING THE RESIGNATION OF RICHARD DANIELS FROM THE CITY OF MODESTO’S CITIZENS’ HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

WHEREAS, the Citizens’ Housing and Community Development Committee was established to make policy and funding recommendations regarding the Community Development Block Grant, Emergency Solutions Grant, and HOME Investment Partnership Grant programs; and

WHEREAS, on May 2, 2017, by Resolution No. 2017-163, Richard Daniels was appointed to the City of Modesto’s Citizens’ Housing and Community Development Committee; and

WHEREAS, Mr. Daniels submitted his resignation on December 11, 2018 as he will no longer be able to serve on the committee due to personal reasons.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto accepts the resignation of Richard Daniels from the City of Modesto’s Citizens’ Housing and Community Development Committee.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2\textsuperscript{nd} day of April, 2019, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Grewal, 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

04/02/2019/CED/JNarayan/Item 3
RESOLUTION ACCEPTING THE RESIGNATION OF GABRIELLA FIERRO FROM THE CITY OF MODESTO HOUSING REHABILITATION LOAN COMMITTEE

WHEREAS, the City’s Housing Rehabilitation Loan Committee was established to develop administrative procedures and policies for the City’s housing rehabilitation loans and grants and its down payment assistance program; and

WHEREAS, on August 8, 2018, by Resolution No. 2018-321, Gabriella Fierro was appointed to the City’s Housing Rehabilitation Loan Committee; and

WHEREAS, after several attempts Ms. Fierro could not be reached to serve on the Committee; staff is recommending her resignation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto accepts the resignation of Gabriella Fierro from the City of Modesto Housing Rehabilitation Loan Committee.
The foregoing resolution was introduced at a regular meeting of the Council of
the City of Modesto held on the 2nd day of April, 2019, 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: ____________________________
STEFANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: _______________________________
ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING THE AWARD OF BID AND PURCHASING AGREEMENT FOR CLEAN UP OR BOARD UP OF NUISANCE AND UNSAFE PROPERTIES TO SCOTT REDDENBAUGH CONSTRUCTION OF MODESTO, CALIFORNIA FOR A TWO YEAR AGREEMENT WITH THREE ONE-YEAR EXTENSION OPTIONS FOR AN ANNUAL AMOUNT NOT TO EXCEED $40,000 AND A TOTAL NOT TO EXCEED $200,000 OVER FIVE YEARS, AND AUTHORIZING THE PURCHASING MANAGER, OR HER DESIGNEE TO EXECUTE THE AGREEMENT

WHEREAS, in January 2018 the City Manager authorized the issuance of a request for bids (RFB 1819-13) for the labor and materials to complete clean ups and board ups of nuisance and unsafe properties, and

WHEREAS, bids were publicly opened on January 10, 2018 pursuant to Modesto Municipal Code Section 8-3.403 and Modesto Charter Section 1307 and two responsive bids were received, and

WHEREAS, Scott Reddenbaugh Construction of Modesto, California, is the lowest responsive and responsible bidder, and

WHEREAS, the Director of Community and Economic Development has recommended that the agreement for clean ups and board ups of nuisance and unsafe properties be awarded to Scott Reddenbaugh Construction as the lowest responsible and responsive bid, 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 follow the formal bid procedures. An award of bid and agreement for clean-up and board-ups of nuisance properties for the Community and Economic Development Department use to Scott Reddenbaugh, Construction, Modesto, CA, conforms to the
Modesto Municipal Code because the City complied with the formal bid procedures and Scott Reddenbaugh Construction was the lowest responsive and responsible bidder.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the scope of work, accepts the bid, and awards the two-year agreement to Scott Reddnebaugh Construction of Modesto, California in the amount not to exceed $40,000 per year for two years with three one-year extensions, total amount not to exceed $200,000, for clean ups and board ups of nuisance and unsafe properties.

BE IT FURTHER RESOLVED that the Purchasing 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 2nd day of April, 2019, 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: ________________________________

STEPHANIE LOPEZ, City Clerk

(S SEAL)

APPROVED AS TO FORM:

By: ________________________________

ADAM U. LINDGREN, City Attorney
MODESTO CITY COUNCIL
RESOLUTION NO. 2019-132

RESOLUTION ACCEPTING THE PUBLIC IMPROVEMENTS FOR HILLGLEN ROSELLE SUBDIVISION, LOCATED IN VILLAGE ONE AT THE SOUTHEAST CORNER OF THE INTERSECTION OF HILLGLEN AVENUE AND ROSELLE AVENUE, AUTHORIZING THE CITY CLERK TO FILE A NOTICE OF COMPLETION WITH THE STANISLAUS COUNTY RECORDER’S OFFICE, AND TO RELEASE SECURITIES UPON EXPIRATION OF STATUTORY PERIODS

WHEREAS, Modesto Roselle, LLC, a California limited liability company ("SUBDIVIDER"), is the subdivider of a tract of land consisting of 8.39 acres, being subdivided into 43 residential lots and 2 landscaping lots known as the HILLGLEN ROSELLE SUBDIVISION ("SUBDIVISION"), and

WHEREAS, the City Engineer has verified that all required Public Improvements for this project have been satisfactorily completed and all inspection fees have been paid, and

WHEREAS, City crews will assume maintenance responsibilities upon acceptance of the Public Improvements, which includes: water main, sanitary sewer main, storm drainage facilities, landscape and irrigation, street trees, sidewalk and ADA ramps, streets, curbs and gutters, and street lights, and

WHEREAS, pursuant to the Subdivision Agreement, SUBDIVIDER has filed a Faithful Performance Bond in the amount of $1,559,525 for SUBDIVISION, and

WHEREAS, pursuant to the Subdivision Agreement, SUBDIVIDER has filed a Payment Bond in the amount of $1,559,525 for SUBDIVISION, and

WHEREAS, pursuant to the Subdivision Agreement, SUBDIVIDER has filed a Warranty Bond in the amount of $155,952.50 for SUBDIVISION, and
WHEREAS, the developer has requested that the improvements be accepted and the Bonds be released, and

WHEREAS, the City Engineer has indicated that it would be in order for the City Council to accept said Public Improvements as complete and has certified that the work covered has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The said Public Improvements constructed by the SUBDIVIDER are hereby accepted, and the City Clerk is hereby authorized to file a Notice of Completion.

2. The City Clerk is hereby authorized to release the Subdivision Faithful Performance Bond in the amount of $1,559,525 for SUBDIVISION, upon recordation of the Notice of Completion.

3. The City Clerk is hereby authorized to release the Payment Bond in the amount of $1,559,525 for SUBDIVISION, sixty (60) days after recordation of the Notice of Completion, provided no claim is made thereon.

4. The City Clerk is hereby authorized to release the Warranty Bond in the amount of $155,952.50 for SUBDIVISION one year and one day after the effective date of this resolution, provided no claim is made thereon.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 2019, 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: 

(SEAL)

APPROVED AS TO FORM:

By: 

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING A FIFTH AMENDMENT TO THE AGREEMENT WITH DOKKEN ENGINEERING FOR THE PREPARATION OF THE PLANS, SPECIFICATIONS, AND ESTIMATES AND RIGHT OF WAY ACQUISITION FOR THE STATE ROUTE 99/PELANDALE AVENUE INTERCHANGE RECONSTRUCTION PROJECT PHASE 2 PROJECT TO INCREASE THE EXISTING AGREEMENT BY $181,495 FOR A TOTAL AGREEMENT AMOUNT OF $3,550,327, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE FIFTH AMENDMENT

WHEREAS, the State Route 99 / Pelandale Avenue Interchange Reconstruction Project is a project to increase safety, relieve congestion, and enhance traffic operations within the Interchange and along the adjacent streets, and

WHEREAS, on March 9, 2010, by Resolution No. 2010-90, Council approved an agreement with Dokken Engineering to prepare the plans, specifications, and estimate (PS&E) for the State Route 99/Pelandale Avenue Interchange Reconstruction Project in an amount not to exceed $3,011,832, and

WHEREAS, on February 22, 2011, by Resolution No. 2011-045, Council approved the first amendment to the agreement with Dokken Engineering to amend contract language per Caltrans request and revise Dokken’s contract to a cost-plus-fixed-fee Agreement with no change in compensation, and

WHEREAS, on September 14, 2011, City Manager approved the second amendment to the agreement with Dokken Engineering to incorporate a post award audit clause to the agreement with no change in compensation, and

WHEREAS, on February 14, 2012, by Resolution No. 2012-63, Council approved the third amendment to the agreement with Dokken Engineering to incorporate right-of-
way engineering and land acquisition services for the State Route 99/Pelandale Avenue Interchange Reconstruction Project in an amount not to exceed $338,000, and

WHEREAS, in late 2012, the City was informed that State Proposition 1B saving funds would be available in 2013 for construction of the State Route 99/Pelandale Avenue Interchange Reconstruction Project, and

WHEREAS, acquiring the “Carl’s Jr.” property (APN 135-029-022) in the timeframe necessary to accept the construction funds would not be achievable, the project was forced to split into two phases, and

WHEREAS, on January 22, 2013, by Resolution No. 2013-40, Council approved the fourth amendment to the agreement with Dokken Engineering to exclude the acquisition of the “Carl’s Jr.” property (APN 135-029-022) from the project’s first phase in an amount not to exceed $64,000, and

WHEREAS, the Fourth Amendment to the Agreement reflected a credit of $45,000, although Resolution No. 2013-40 did not. The amount of $64,000 excludes the remaining contract credited amount of $45,000, for an net increase of $19,000 and a total contract amount of $3,368,832, and

WHEREAS, on October 19, 2017, the California Transportation Commission approved $4,336,000.00 of the State’s Transportation Improvement Program funds to complete the right-of-way acquisition phase for the second phase of the project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Fifth Amendment to the Agreement with Dokken Engineering for land acquisition services and preparation of the Plans, Specifications, and Estimates
for the second phase of the State Route 99/Pelandale Avenue Interchange Reconstruction Project to increase the existing agreement by $181,495 for a total agreement amount of $3,550,327.

BE IT FURTHER RESOLVED, that the City Manager, or his designee, is hereby authorized to execute the Fifth Amendment to 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 2nd day of April, 2019, 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: 

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING THE PURCHASE OF 60 SAMSUNG GALAXY TABLETS INCLUDING A ONE-YEAR DATA PLAN WITH AT&T IN ASSOCIATION WITH THE USE OF THE COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEMS FROM LUCITY, INC., OVERLAND PARK, KS FOR THE UTILITIES DEPARTMENT WATER DIVISION IN THE AMOUNT OF $73,496, AND AUTHORIZING THE PURCHASING MANAGER, OR HER DESIGNEE, TO EXECUTE THE PURCHASE ORDER

WHEREAS, on January 12, 2016 by Resolution 2016-08, Council approved an agreement with Lucity Inc. for the purchase and implementation of a Computerized Maintenance Management System (CMMS) for the Utilities Department, and

WHEREAS, in March 2017 the implementation of the Lucity CMMS was completed and included the use of Lucity Mobile which provides crews within the Utilities Department the ability to receive, create, and complete work orders in real time at the work locations, and

WHEREAS, at the time of the software purchase, the Utilities Department was still working with the Information Technology Department to determine the type of tablet that would work best with the Lucity software, and

WHEREAS, after thorough specification review and testing it was determined that a windows-based tablet would be more efficient and effective for use with the software, especially for employees in the field, and that a data plan would be required to accompany the purchase of tablets for said employees, and

WHEREAS, the final specifications led to the selection of the Samsung Galaxy tablets, and

WHEREAS, the analysis performed in coordination with the Utilities Department and the Information Technology Department has determined that 60 Samsung Galaxy
Tablets along with the required data plan from AT&T for one year are necessary to make use of the mobile features of the Lucity CMMS.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the purchase of 60 Samsung Galaxy Tablets including a one-year data plan with AT&T in association with the use of the Computerized Maintenance Management Systems from Lucity, Inc., Overland Park, KS for the Utilities Department Water Division in the amount of $73,496.

BE IT FURTHER RESOLVED, the Purchasing Manager, or her designee, is hereby authorized to execute the purchase order.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 2019, 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: [Signature]  
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]  
ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING AN AMENDMENT TO THE PURCHASING AGREEMENT WITH ALL SEASON LAWN LANDSCAPING FOR LAWN MAINTENANCE SERVICES FOR WATER WELLS AND TANK SITES TO INCREASE THE COSTS IN THE FIRST YEAR BY AN AMOUNT OF $5,200 AND $10,400 FOR YEARS TWO THROUGH FIVE FOR A TOTAL FIVE-YEAR INCREASE AMOUNT NOT TO EXCEED $46,800 AND THE REVISED TOTAL AMOUNT OF THE AGREEMENT NOT TO EXCEED $357,671 OVER FIVE YEARS; AND AUTHORIZING THE PURCHASING MANAGER, OR HER DESIGNEE, TO EXECUTE THE AMENDMENT

WHEREAS, on April 4, 2018, the Purchasing Division issued RFB 1718-49 for lawn maintenance services for water wells and tanks under commodity codes for landscape architecture, grounds maintenance, mowing, edging plant trimming, tree trimming and pruning services, and

WHEREAS, on June 26, 2018, by Resolution No. 2018-263, Council approved an agreement with All Season Lawn Landscaping for an annual cost not to exceed $38,327 in Year One, $63,828 in Year Two, with three additional sites and services added, and a total amount not to exceed $310,871 over five years, and

WHEREAS, Council’s approval of the lawn maintenance agreement with All Season Lawn Landscaping, the supplier has recommended that additional sites be treated with pre-emergent to control weeds; by not applying pre-emergent, well and tank sites will require the use of a larger amount of herbicide as well as additional man hours which could increase the agreement cost significantly for future years.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an amendment to the Purchasing agreement with All Season Lawn Landscaping for lawn maintenance services for water wells and tank sites to increase the costs in the first year by an amount of $5,200 and $10,400 for years two
through five for a total five-year increase amount not to exceed $46,800 and the revised total amount of the agreement not to exceed $357,671 over five years.

BE IT FURTHER RESOLVED, the Purchasing Manager, or her designee, is hereby authorized to execute the amendment.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 2019, 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: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION AMENDING THE POSITION ALLOCATION PLAN TO RECLASSIFY ONE ENVIRONMENTAL REVIEW SPECIALIST TO ONE HOUSING REHABILITATION SUPERVISOR IN THE COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT AND ELEVEN POLICE DETECTIVES TO ELEVEN POLICE OFFICERS IN THE POLICE DEPARTMENT

WHEREAS, a Position Allocation for the City of Modesto was adopted by Modesto City Council on July 10, 2018, by Resolution No. 2018-283, and

WHEREAS, classification studies are conducted to ensure that a classification system is equitable and consistent within an organization and that positions are correctly classified, and

WHEREAS, per Personnel Administrative Order 2.2-87-12, a classification study may be conducted in response to a reclassification request, to develop/revise a classification specification, or to assist in a reorganization, and

WHEREAS, classification studies were conducted by Human Resources to determine appropriate classification, and

WHEREAS, position changes will be effective the pay period in which April 2, 2019 falls, (Pay Period beginning April 2, 2019).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Position Allocation Plan for Fiscal Year 2018-19 for various departments as follows:

1. Reallocate one (1) Environmental Review Specialist in the Community and Economic Development Department to one (1) Housing Rehabilitation Supervisor in the Community and Economic Development Department.
2. Reallocate eleven (11) Police Detectives in the Modesto Police Department to eleven (11) Police Officers in the Modesto Police Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 2019, 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: 

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING THE AWARD OF BID FOR THE PURCHASE OF 33 - 2019 HALF-TON TRUCKS WITH VARIOUS CONFIGURATIONS, TO BIG VALLEY FORD, STOCKTON, CA, FOR A TOTAL COST NOT TO EXCEED $965,695, AND AUTHORIZING THE PURCHASING MANAGER, OR HER DESIGNEE, TO ISSUE A PURCHASE ORDER

WHEREAS, 33 half-ton trucks with various configurations will be used by various departments, and

WHEREAS, 23 trucks are replacement units and have been evaluated based on their age, condition, mileage and maintenance costs, and

WHEREAS, every year a Fleet Replacement List is submitted to Council and is approved as part of the new fiscal year’s Fleet Replacement budget, and

WHEREAS, the addition of ten new units are for various departments and were approved by the City Manager and City Council with the adopted Fiscal Years 2016-2017, 2017-2018, 2018-2019, and

WHEREAS, the City Manager authorized the Purchasing Manager to issue formal Request for Bids (RFB) for new vehicles and heavy equipment through various competitive processes, and

WHEREAS, on December 12, 2018, the Purchasing Division used RFB 1819-29 for the purchase of 32 half-ton pickup trucks with various configurations on the City’s website under commodity codes for automotive vehicles and related transportation equipment, automobiles, and automobile and other passenger vehicles maintenance and repair, automobiles and other passenger vehicles and trucks, and

WHEREAS, prospective bidders were notified online of the bid opportunity and 17 companies chose to download the RFB document, and
WHEREAS, on January 22, 2019, bids were formally opened in the City Clerk’s office and four companies chose to respond, none were local vendors and all four companies provided responsive and responsible bids, and

WHEREAS, the award of bid and agreement for the purchase of 33 – 2019 half-ton pickup trucks with various configurations, to Big Valley Ford, Stockton, CA conforms to the Modesto Municipal Code because the City complied with the formal bid procedures and Big Valley Ford, Stockton, CA was the lowest responsive and responsible bidder, and

WHEREAS, sufficient funds for 23 half-ton pickup trucks with various configurations are budgeted in Fiscal Year’s 2016-2017, 2017-2018, 2018-2019 in the Fleet Replacement fund, in account 5409-53246-57003, and

WHEREAS, sufficient funds for ten new additions are budgeted in Fiscal Year’s 2016-2017, 2017-2018, 2018-2019 in the following accounts: (two) 0100-14220-57003, (one) 4100-45010-57003, (three) 4100-45065-57003, (three) 4210-44312-57003 and (one) 1700-53540-57003.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the award of bid for the purchase of 33 - 2019 half-ton pickup trucks with various configurations to Big Valley Ford, Stockton, CA.

BE IT FURTHER RESOLVED, that the Purchasing Manager, or her designee, is authorized to issue a purchase order for a total cost not to exceed $965,695.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 2019, 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: 

(Seal)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING THE AWARD OF BID FOR THE PURCHASE OF
SIX FORD POLICE INTERCEPTOR AWD UTILITY VEHICLES AND ONE
FORD RESPONDER SUPERCREW 4X4 TO BIG VALLEY FORD, STOCKTON,
CA, FOR A TOTAL COST NOT TO EXCEED $285,172, AND AUTHORIZING
THE PURCHASING MANAGER, OR HER DESIGNEE TO ISSUE THE
PURCHASE ORDER

WHEREAS, six police Interceptor All Wheel Drive (AWD) utility vehicles and
one Ford Police Responder Supercrew 4x4 are replacement units and will be used by the
Modesto Police Department, and

WHEREAS, these units will replace various police patrol vehicles that will reach
their mileage cap of 125,000 miles during this fiscal year and will replace units that have
been involved in a collision and considered a total loss, and

WHEREAS, the City Manager authorized the Purchasing Manager to issue formal
Request for Bids (RFB) for new vehicles and heavy equipment through various
competitive processes, and

WHEREAS, on December 5, 2018, the Purchasing Division issued RFB 1819-27
for the purchase and delivery of six Ford Police Interceptor AWD utility vehicles and one
Ford Police Responder Supercrew 4x4 pick-up on the City’s website under the
commodity codes for automotive vehicles and related transportation equipment,
automobiles and automobile and other passenger vehicles repair and maintenance, and

WHEREAS, on January 15, 2019, bids were formally opened in the City Clerk’s
Office, and two companies chose to respond, both provided a responsive and responsible
bid, and

WHEREAS, based on providing the overall lowest responsive and responsible
bid, staff recommends the award of bid for the purchase of six Police Interceptor AWD utility vehicles and one Ford Police Responder Supercrew 4x4 pick-up to Big Valley Ford, Stockton, CA for a total cost of $285,170, and

WHEREAS, six of these vehicles will be standard black and white patrol vehicles at a cost of $37,589 per unit before taxes and fees, and one black and white Supercrew 4x4 pick-up at a cost of $38,762 before taxes and fees will be for the Modesto Police Department, and

WHEREAS, sufficient funds for six Ford Police Interceptor AWD utility vehicles and one Ford Responder Supercrew 4x4 pick-up have been encumbered in the Fleet Replacement Fund: 5409-53246-57003.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto that it hereby approves the award of bid for the purchase of six Ford Police Interceptor AWD utility vehicles and one Ford Responder Supercrew 4x4 to Big Valley Ford, Stockton, CA.

BE IT FURTHER RESOLVED, that the Purchasing Manager, or her designee, is authorized to issue a purchase order for an estimated total cost of $285,172.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 2019, 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: [Signature]

STEFANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING THE AWARD OF BID FOR THE PURCHASE OF FOUR 2019 MEDIUM DUTY UTILITY TRUCKS WITH VARIOUS CONFIGURATIONS TO TOWNE FORD, REDWOOD CITY, CA, FOR A TOTAL COST OF $489,063, AND AUTHORIZING THE PURCHASING MANAGER, OR HER DESIGNEE TO ISSUE THE PURCHASE ORDER

WHEREAS, replacement units are essential in maintaining current operations, facilities and/or services, and

WHEREAS, funds have been collected through the Internal Service Fund (ISF) via straight-line depreciation over the life of the vehicles, approved and allocated in the budget adoption for FY 2016-2017 for the purchase of replacement units and have been encumbered and budgeted for Fiscal Year 2018-2019, and

WHEREAS, one medium duty utility truck 19,000 Gross Vehicle Weight Rating (GVWR) will be used by the Public Works Department - Electrical Division and is a replacement unit, and

WHEREAS, three new additions will be used by the Utilities Department, two were approved by the City Manager and Council with the adopted FY 2016-2017 budget and one new unit was approved with the adopted FY 2017-2018 budget, and

WHEREAS, the City Manager authorized the Purchasing Manager to issue formal Request for Bids (RFB) for new vehicles and heavy equipment through various competitive processes, and

WHEREAS, on December 28, 2018, the Purchasing Division issued RFB 1819-33 for the purchase of four 19,000 GVWR utility trucks with various configurations on the City’s website under the commodity codes for automotive accessories for automobiles, buses trailers, trucks; automotive and trailer bodies, body accessories and
parts; bodies, utility; van truck bodies; automotive vehicles, vehicles and related transportation equipment (including trailers); automobiles; class 5 trucks/ automobile and other passenger vehicles maintenance and repair, and

WHEREAS, on January 29, 2019, bids were formally opened in the City Clerk’s Office and one company chose to respond and provided a responsive and responsible bid, and

WHEREAS, sufficient funds for one 19,000 GVWR utility truck was encumbered in Fiscal Year’s 2016-2017 (Fleet Replacement Fund: 5409-53246-57003) and are currently encumbered and budgeted for Fiscal Year 2018-2019, and

WHEREAS, sufficient funds for two new additions were approved by the City Manager and Council with the adopted FY 2016-2017 Budget in the following accounts (Wastewater – Sutter Plant Maintenance, account no: 4210-44313-57003; Wastewater – Stormwater Collections, account no: 4480-44222-57003) and are currently encumbered and budgeted for Fiscal Year 2018-2019, and

WHEREAS, sufficient funds for one new addition was approved by the City Manager and Council with the adopted FY 2017-2018 budget in the following account (Wastewater – Sewer Collections, acct no: 4210-44211-57003) funds have been collected through the Internal Service Fund (ISF) via straight-line depreciation over the life of the vehicles and are currently encumbered and budgeted for Fiscal Year 2018-2019.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the award of bid for the purchase of four 19,000 GVWR utility trucks with various configurations to Towne Ford, Redwood City, CA.

BE IT FURTHER RESOLVED, that the Purchasing Manager, or her designee, is
authorized to issue a purchase order for an estimated total cost of $489,063.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 2019, 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: [Signature]

[SEAL]

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING A COMPOST FACILITY FLEXIBLE SALES PRICING PILOT PROGRAM TO BECOME EFFECTIVE APRIL 15, 2019, FOR A ONE-YEAR TRIAL PERIOD, WHEREIN THE INTEGRATED WASTE PROGRAM MANAGER WOULD BE ABLE TO ADVERTISE AND OFFER DISCOUNTED PRICING SUCH AS SEASON OR OVERSUPPLY SPECIALS OF UP TO 50% OFF OF THE COMPOST PRODUCT FOR SALE

WHEREAS, the City of Modesto Compost Facility began operation in January 1997 due to the City’s waste being comprised of a high level of compostable materials and the City being designated as a City of Trees, and the Compost Facility would provide a way for the City to handle its own greenwaste and forestry materials, and

WHEREAS, the City also rolled out a two-can residential garbage and recycling collection program which provided a green can for all residential waste, and

WHEREAS, over time that green can functionality has expanded to include all yard waste, paper waste and food waste, and

WHEREAS, the Compost Facility’s primary and state mandated purpose is to process the City’s diverted yard waste, paper waste, and food waste materials into a reusable soil amendment, this keeping materials from the landfill and lowering our disposal rate, and

WHEREAS, compost is also donated to community gardens and landscape projects, parks, schools, churches, and for use in our own City projects, and

WHEREAS, annually the Facility receives approximately 65,000 tons of raw compostable waste materials and processes it into about 35,000 tons of compost, and

WHEREAS, in Fiscal Year 2017-2018 SCS Engineers, Inc. was hired to conduct a comprehensive review of the City’s solid waste system, including the compost facility and its operations, and
WHEREAS, one of the findings discussed the changes in state law that made organic recycling and composting mandatory, and the demands that would have on the facility operationally and financially, but there was no discussion on what the impacts of the new influx of materials would be, or what would happened to the quality of the compost or the market conditions, and

WHEREAS, AB1826 and SB1383 mandate organics recycling resulting in a 75% diversion of organics materials out of landfills and into composting facilities, yet there are no laws mandating the public or private sectors purchase the finished product back, and

WHEREAS, the new supply of material is estimated to be over 20 million tons annually which creates an overabundance of product inventory statewide and the competition makes pricing and materials quality key factors for moving the project, and

WHEREAS, the new supply of incoming organics material is heavily contaminated with glass, plastics, and trash, and

WHEREAS, an increase in public education and enforcement will help over time, but expensive machinery and labor intensive efforts are needed long term to separate out the contamination, and

WHEREAS, due to the contamination levels, compost sales have dropped by 40% and created an oversupply of product at the facility and storing the material can lead to permit violations, and

WHEREAS, this product needs to be moved in order to continue processing incoming material, and while some of the product can be spread on City land, due to the glass it is not feasible to use it in City parks or sports fields, and nut farmers have even diminished their use of the product, and
WHEREAS, in July 2018, by Resolution No. 2018-240, Council approved the pricing for compost product sales with an annual Consumer Price Index (CPI) adjustment each year, however in order to move product so we can continue to process material, staff is requesting a flexible pricing pilot program for one year to help with the oversupply of product, and

WHEREAS, under the flexible pricing pilot program, the Integrated Waste Program Manager would be able to advertise and offer discounted pricing such as seasonal or oversupply specials up to 50% off the product as necessary to make room on the site and stay in compliance with state law, and

WHEREAS, the compost budget includes revenues from compost sales and all revenue generated as a result of the flexible pricing would help to balance the Compost Fund budget.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto that it hereby approves a Compost Facility Flexible Sales Pricing Pilot Program to become effective April 15, 2019, for a one-year trial period, wherein the Integrated Waste Program Manager would be able to advertise and offer discounted pricing such as seasonal or oversupply specials up to 50% off of the compost product for sale.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 2019, 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: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE EMPIRE SANITARY SEWER TRUNK PROJECT, ACCEPTING THE BID, AND APPROVING A CONSTRUCTION CONTRACT WITH ROLFE CONSTRUCTION COMPANY, ATWATER, CA, IN THE AMOUNT OF $3,866,093 PLUS $463,931 FOR CONTINGENCY (IF NEEDED) FOR A TOTAL AMOUNT OF $4,330,024 AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT

WHEREAS, specifications have been prepared for the Empire Sanitary Sewer Trunk Project, and

WHEREAS, on February 12, 2019 staff received bids from four companies that were responsible and responsive, including a bid from Rolfe Construction Company, and

WHEREAS, MMC 8-3.203 states that all purchases, in excess of fifty thousand dollars ($50,000), or when directed by the City Manager for any purchase of fifty thousand dollars ($50,000) or less, shall follow formal bid procedures, and

WHEREAS, and the award of bid for the Empire Sanitary Sewer Trunk Project conforms to the Modesto Municipal code based on providing the overall lowest cost, while providing improved service, and

WHEREAS, the Director of Utilities has recommended that the bid of $4,330,024 received from Rolfe Construction Company, be accepted as the lowest responsible and responsive bid and the contract be awarded to Rolfe Construction Company.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the plans and specifications for the Empire Sanitary Sewer Trunk Project and accepts the bid of $3,866,093 plus $463,931 for contingency (if needed) for a total amount of $4,330,024 and Awards Rolfe Construction Company, of Atwater, CA, the contract for the Empire Sanitary Sewer Trunk Project.
BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the contract, 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 2nd day of April, 2019, 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:  

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney

04/02/2019/Utilities/JFranco/Item 17  2  2019-141
MODESTO CITY COUNCIL
RESOLUTION NO. 2019-142

RESOLUTION AUTHORIZING AN INCREASE IN THE DIRECTOR’S AUTHORITY TO ISSUE CHANGE ORDERS FOR THE EMPIRE SANITARY SEWER TRUNK PROJECT FROM 8% ($309,287) TO 12% ($463,931) OF THE CONSTRUCTION CONTRACT PRICE OF $3,866,093 WITH ROLFE CONSTRUCTION, ATWATER, CA

WHEREAS, on April 2, 2019, Council is concurrently awarding a $3,866,093 contract to Rolfe Construction, of Atwater, CA for the construction of the Empire Sanitary Sewer Trunk Project, and

WHEREAS, given the nature of the project, additional work may be needed to address unexpected conditions that require changes in project scope, and

WHEREAS, the additional costs may exceed the Director’s authority for the project as established by the Council’s Change Order Approval Policy adopted by Resolution No. 94-443.

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 Empire Sanitary Sewer Trunk Project from 8 percent ($309,287) to 12 percent ($463,931) of the construction contract price of $3,866,093 with Rolfe Construction, of Atwater, CA.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 2019, 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: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
RESOLUTION AMENDING THE FISCAL YEAR 2018-19 CAPITAL IMPROVEMENT PROGRAM BUDGET IN THE AMOUNT OF $2,806,661 TO BE TRANSFERRED INTO THE PROJECT FROM WASTEWATER RESERVES TO FULLY FUND THE CONSTRUCTION, CONTINGENCY, CONSTRUCTION ADMINISTRATION, CITY CONSTRUCTION FORCES AND DESIGN SUPPORT DURING CONSTRUCTION FOR THE EMPIRE SANITARY SEWER TRUNK PROJECT

WHEREAS, certain budgetary transactions are necessary in the amount of $2,806,661, in order to fund construction, contingency, construction administration, design support during construction plus City staff support for the Empire Sanitary Sewer Trunk Project, and

WHEREAS, the Fiscal Year 2018-2019 Capital Improvement Program Budget must be amended as shown in Exhibit A, which is incorporated by reference herein.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the amendment of the Fiscal Year 2018-2019 Capital Improvement Program Budget as shown in Exhibit A, attached hereto.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized 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 2nd day of April, 2019, 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: [Signature]

(SEAL)

APPROVED AS TO FORM:

By: [Signature]

ADAM U. LINDGREN, City Attorney
EXHIBIT A

A total of $2,806,661 is being requested from Wastewater Reserves to revise the budget of CIP project 100641 – Empire Sanitary Sewer Trunk Project.

100641 - Empire Trunk

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RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE GROUNDWATER MONITORING WELLS PROJECT, ACCEPTING THE BID, AND AWARDING A CONSTRUCTION CONTRACT WITH GREGORY DRILLING, INC., OF REDMOND, WA, IN THE AMOUNT OF $634,307 AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE CONTRACT

WHEREAS, specifications have been prepared for the Groundwater Monitoring Wells Project, and

WHEREAS, on January 8, 2019 staff received bids from three companies that were responsible and responsive, including a bid from Gregory Drilling, and

WHEREAS, MMC 8-3.203 states that all purchases, in excess of fifty thousand dollars ($50,000), or when directed by the City Manager for any purchase of fifty thousand dollars ($50,000) or less, shall follow formal bid procedures, and

WHEREAS, and the award of bid for the Groundwater Monitoring Wells Project conforms to the Modesto Municipal code based on providing the overall lowest cost, while providing improved service, and

WHEREAS, the Director of Utilities has recommended that the bid of $634,307 received from Gregory Drilling, be accepted as the lowest responsible and responsive bid and the contract be awarded to Gregory Drilling.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby consider approving the plans and specifications for the Groundwater Monitoring Wells Project, accepting the bid and awarding a construction contract with Gregory Drilling of Redmond, WA in the amount of $634,307.
BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the contract, 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 2\textsuperscript{nd} day of April, 2019, 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: \textit{Stephanie Lopez, City Clerk}

(SEAL)

APPROVED AS TO FORM:

By: \textit{Adam U. Lindgren, City Attorney}
MODESTO CITY COUNCIL  
RESOLUTION NO. 2019-145

RESOLUTION APPROVING AN AGREEMENT WITH GROUND ZERO ANALYSIS, INC., MODESTO, CA, FOR HYDROGEOLOGICAL DESIGN SUPPORT DURING CONSTRUCTION FOR THE GROUNDWATER MONITORING WELLS PROJECT IN AN AMOUNT NOT TO EXCEED $75,454 FOR THE IDENTIFIED SCOPE OF SERVICES, PLUS $7,545 IN ADDITIONAL SERVICES (IF NEEDED), FOR A TOTAL NOT TO EXCEED AMOUNT OF $82,999 AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT.

WHEREAS, the cities of Modesto, Riverbank, Oakdale, the Modesto Irrigation District, the Oakdale Irrigation District, and Stanislaus County formed the Stanislaus and Tuolumne Rivers Groundwater Basin Association (STRGBA) to oversee and coordinate groundwater management activities in the Modesto Groundwater Subbasin, and

WHEREAS, in accordance with the Sustainable Groundwater Management Act of 2014, STRGBA is developing a Groundwater Sustainability Plan (GSP), and

WHEREAS, one of the key elements of the GSP will be to continually monitor the groundwater levels via dedicated monitoring wells, and

WHEREAS, this project provides for groundwater monitoring wells at five different locations within the City limits and throughout the City’s contiguous water service area, and

WHEREAS, hydrogeological services are needed during the construction phase to evaluate subsurface data and determine well screening depths, and

WHEREAS, in accordance with Modesto Municipal Code 8-3.204(a) Exceptions to Formal Bidding Requirements, this agreement is for professional services and, therefore, exempt from the bid requirement, however, staff proceeded through a RFP process pursuant to Administrative Directive 3.1, and
WHEREAS, five proposals were received on January 11th 2019, and were reviewed by a selection committee that consisted of Utilities Department staff, and

WHEREAS, the selection committee determined that Ground Zero Analysis Inc., a local firm, was the most responsive and qualified firm to provide hydrogeological services during construction.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves an agreement with Ground Zero Analysis Inc., Modesto, CA, for hydrogeological design support during construction services for the Groundwater Monitoring Wells Project in the amount of $75,454 for the identified scope of services, plus $7,545 in additional services (if needed), for a total amount not to exceed $82,999.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the contract, 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 2nd day of April, 2019, 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: 

(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 GROUND WATER MONITORING WELLS PROJECT FROM 10 PERCENT ($63,431) TO 20 PERCENT ($126,861) OF THE CONSTRUCTION CONTRACT AMOUNT

WHEREAS, on April 2, 2019, the City Council is concurrently awarding a $634,307 contract to Gregory Drilling, Inc. of Redmond, WA for the construction of the Groundwater Monitoring Wells Project, and

WHEREAS, given the nature of the project, additional work may be needed to address unexpected conditions that require changes in project scope, and

WHEREAS, the additional costs may exceed the Director’s authority for the project as established by the Council’s Change Order Approval Policy adopted by Resolution No. 94-443.

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 Groundwater Monitoring Wells Project from 10 percent ($63,431) to 20 percent ($126,861) of the construction contract price of $634,307 with Gregory Drilling, Inc. of Redmond, WA.
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 2019, 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: STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ADAM U. LINDGREN, City Attorney
RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT
WITH S&S HEALTHCARE STRATEGIES, LTD. TO NEGOTIATE AND
SETTLE MEDICAL CLAIMS, INCLUDING THE REIMBURSEMENT OF
EMPLOYEES FOR CLAIMS PAYMENTS MADE PRIOR TO MARCH 1, 2019
THAT WERE THE RESPONSIBILITY OF RIVERSTONE AND AUTHORIZING
AN AMOUNT OF $2,626,000 TO FUND CLAIMS SETTLEMENTS, FEES AND
EMPLOYEE REIMBURSEMENT; AND AUTHORIZING THE CITY
MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT.

WHEREAS, the City of Modesto provides its employees with employee and
dependent health insurance coverage; and

WHEREAS, the City contacted S&S Healthcare Strategies, Ltd. following notice
of the current health plan provider’s failures to pay outstanding claims; and

WHEREAS, S&S Healthcare Strategies, Ltd. offered negotiation services; and

WHEREAS, after reviewing options, S&S Healthcare Strategies, Ltd. was
determined most comprehensive and affordable; and

WHEREAS, the City may fund claims settlement through the Employee Benefit
Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto
that the Council hereby approves an agreement with S&S Healthcare Strategies, Ltd. for
negotiation of unpaid medical claims.

BE IT FURTHER RESOLVED that the Council hereby approves the full
reimbursement of employees who paid claims on or before March 1, 2019 that should
have been paid by Riverstone Capital.
BE IT FURTHER RESOLVED that the Council hereby approves initial funding of employee reimbursement, claims negotiation and settlement in the amount of $2,626,000.

BE IT FURTHER RESOLVED that the Director of Human Resources is hereby authorized to serve as the coordinator for the various plans.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute all necessary agreements relating to employee and dependent health care to fulfill the intent of this Resolution, in a form approved by Legal Counsel, including such provisions as may be necessary to meet requirements of the Independent Fiduciary.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of April, 2019, 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, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: Grewal

ATTEST: [Signature]

STEVHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM: [Signature]

By: ADAM U. LINDGREN, City Attorney