

**MODESTO CITY COUNCIL
RESOLUTION NO. 2011-162**

RESOLUTION AUTHORIZING THE AWARD OF BID FOR THE PURCHASE OF A WHEEL LOADER AND BUCKET FOR THE PARKS, RECREATION, AND NEIGHBORHOODS DEPARTMENT, SOLID WASTE DIVISION, COMPOST FACILITY, TO MECOM EQUIPMENT, STOCKTON, CA, FOR AN ESTIMATED TOTAL COST OF \$154,640 FOR A WHEEL LOADER AND HOLT OF CALIFORNIA, STOCKTON, CA, FOR AN ESTIMATED TOTAL COST OF \$27,876 FOR A BUCKET; AND AUTHORIZING THE PURCHASING MANAGER, OR HIS DESIGNEE, TO ISSUE PURCHASE ORDERS FOR A TOTAL ESTIMATED COST OF \$182,516

WHEREAS, Council authorized the Purchasing Manager to issue formal Request for Bids (RFB) for the purchase of a wheel loader with bucket for the Parks, Recreation, and Neighborhoods Department, Solid Waste Division, Compost Facility, and

WHEREAS, the Purchasing Division issued RFB No. 1011-12, for the purchase of a wheel loader with bucket to twelve (12) prospective bidders, posted the bid on the City's website and formally advertised as required by law. None of the twelve (12) prospective bidders were local vendors as there are no local vendors which provide this equipment, and

WHEREAS, RFB's were formally opened in the City Clerk's office. Three (3) companies chose to respond, none of the prospective bidders were local vendors. All three (3) companies provided responsive and responsible bids, and

WHEREAS, based on providing the lowest responsive and responsible bid, City staff recommends the award of bid for the purchase of a wheel loader and bucket for the Parks, Recreation, and Neighborhoods Department, Solid Waste Division, Compost Facility, to the following companies: Mecom Equipment, Stockton, CA for an estimated total cost of \$154,640 for the purchase of a wheel loader and Holt of California, Stockton, CA for an estimated total cost of \$27,876 for the purchase of a bucket, 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. The award of bid for the purchase of a wheel loader and a bucket for the Parks, Recreation, and Neighborhoods Department, Solid Waste Division, Compost Facility, conforms to the Modesto Municipal Code, and

WHEREAS, funds are be budgeted for the purchase of a wheel loader and bucket in Solid Waste field equipment fund 4890-37040-57020,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the award of bid for the purchase of a wheel loader and bucket for the Parks, Recreation, and Neighborhoods Department, Solid Waste Division, Compost Facility, to Mecom Equipment, Stockton, CA, for an estimated total cost of \$154,640 for a wheel loader and Holt of California, Stockton, CA, for an estimated total cost of \$27,876 for a bucket.

BE IT FURTHER RESOLVED that the Purchasing Manager, or his designee, is hereby authorized to issue purchase orders for a total estimated cost of \$182,516.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 2011, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Hawn, Lopez, Marsh, Muratore, Mayor Ridenour

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
SUSANA ALCALA WOOD, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2011-163**

**RESOLUTION AMENDING THE FISCAL YEAR 2010-2011 OPERATING
BUDGET TO MOVE \$18,000 FROM SOLID WASTE FUND RESERVES TO THE
OPERATING BUDGET ACCOUNT (4890-37040-57020)**

WHEREAS, a budget adjustment is required to move \$18,000 from Solid Waste Fund Reserves to operating budget 4890-37040-57020 to fully purchase a wheel loader and bucket for the Parks, Recreation & Neighborhoods Department, Solid Waste Division, Compost Facility, for a total estimated cost of \$182,516, and

WHEREAS, the Fiscal Year 2010-2011 Operating Budget must be amended as shown on **Exhibit A**, which is **attached** hereto and incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Fiscal Year 2010-2011 Operating Budget in order to fully fund the purchase a wheel loader and bucket for the Parks, Recreation, and Neighborhoods Department, Solid Waste Division, Compost Facility.

BE IT FURTHER RESOLVED that the Finance Director, or her 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 10th day of May, 2011, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Hawn, Lopez, Marsh, Muratore, Mayor Ridenour

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
SUSANA ALCALA WOOD, City Attorney

(Fiscal Year Operating Cost Centers)

Contact Person: Jocelyn Reed Council Action Date: _____
 Telephone: 577-5492 Resolution Number: _____
 Submitting Department: PRN Date Submitted by Dept: _____

Fund Title: Solid Waste Fund Fiscal Year being Adjusted: 2010-2011

FY	-	Fund	-	Cost Center	-	Account	Current Budget	Increase/ (Decrease)	Revised Budget	Description of Account
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Revenues

FROM										
-	-	-	-	-	-	-			\$0	
-	-	-	-	-	-	-			\$0	
-	-	-	-	-	-	-			\$0	
TO										
-	-	-	-	-	-	-			\$0	
-	-	-	-	-	-	-			\$0	
-	-	-	-	-	-	-			\$0	

Expenses

FROM										
-	-	-	-	-	-	-			\$0	
-	-	-	-	-	-	-			\$0	
-	-	-	-	-	-	-			\$0	
TO										
11	-	4890	37040	-	57020		\$165,486	\$18,000	\$183,486	Non-CIP Capital
-	-	-	-	-	-	-			\$0	
-	-	-	-	-	-	-			\$0	

Justification for Budget Adjustment

Move \$18,000 from Solid Waste Fund Reserves to 4890-37040-57020.

Authorization	Signature	Date
Administrative Services Officer (if needed)		
Deputy Director (if needed)		
Department Director or Authorized Designee		
Financial Analyst		
Finance Director		
City Manager		

To be Completed by Finance Staff

Transfer Number: _____ Completed By: _____

**MODESTO CITY COUNCIL
RESOLUTION NO. 2011-164**

**RESOLUTION APPROVING THE RESCISSION AGREEMENT FOR A HOME
LOAN BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY
AFFORDABLE HOUSING INC., FOR THE ACQUISITION AND
REHABILITATION OF THE PROPERTY LOCATED AT 615 5TH STREET,
MODESTO; AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE,
TO EXECUTE THE AGREEMENT**

WHEREAS, on January 24, 2008, the City of Modesto and Stanislaus County Affordable Housing, Inc. (STANCO) entered into an agreement for funding through the HOME Program allocating \$84,000 to assist STANCO in purchasing property and then rehabilitating the single-family home located at 615 5th Street in Modesto, and

WHEREAS, STANCO, under the HOME agreement, agreed to own, operate and use the property as affordable transitional supportive rental housing for very-low income persons who are homeless, and

WHEREAS, the purchase of this property was never finalized by STANCO, and therefore the City of Modesto and STANCO desire to rescind the HOME Loan Agreement and the Regulatory Agreement, and cancel the Promissory Note and Deed of Trust, and

WHEREAS, no funds were disbursed to STANCO under the HOME Loan Agreement,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Rescission Agreement for a HOME loan between the City of Modesto and STANCO for the acquisition and rehabilitation of the property located at 615 5th Street, Modesto.

BE IT FURTHER RESOLVED, that the City Manager, or his designee, is authorized to sign the Agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 2011, by Councilmember Lopez, who moved its adoption, with motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Hawn, Lopez, Marsh, Muratore, Mayor Ridenour

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
SUSANA ALCALA WOOD, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2011-165**

**RESOLUTION APPROVING A FIVE-YEAR LEASE AGREEMENT WITH CBS
OUTDOOR, INC., AN OUTDOOR ADVERTISING COMPANY, FOR A
PORTION OF THE PROPERTY LOCATED AT 1601 NINTH STREET; AND
AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE
THE AGREEMENT**

WHEREAS, CBS Outdoor, Inc., an outdoor advertising company with offices in Stockton, California, operates advertising space on numerous billboard signs throughout Modesto and Stanislaus County, and

WHEREAS, CBS Outdoor, Inc. has a lease agreement for a portion of City property at 1601 Ninth Street (APN 104-001-018) to operate an advertising sign, and

WHEREAS, the property currently contains a CBS Outdoor advertising sign in existence since March 2000, and

WHEREAS, CBS Outdoor, Inc. wishes to execute a new lease agreement for a term of five years, with the option to extend the lease for an additional five years,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a five-year lease agreement with CBS Outdoor, Inc., an outdoor advertising company, for a portion of the property located at 1601 Ninth Street, with the option to renew the lease for an additional five years.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the lease agreement.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Modesto held on the 10th day of May, 2011, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Hawn, Lopez, Marsh, Muratore, Mayor Ridenour

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
SUSANA ALCALA WOOD, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2011-166**

**RESOLUTION AMENDING THE FISCAL YEAR 2010/2011 OPERATING
BUDGET IN ORDER TO RECOGNIZE \$1,200 IN REVENUE TO PARKS
SERVICES (0100-35220-46002)**

WHEREAS, during the property acquisitions for the Kansas-Needham Overcrossing project, the City acquired real property from Noble Properties, and the acquisition included an existing outdoor advertising sign lease with CBS Outdoor, Inc., and

WHEREAS, by separate Council action, Council approved a five-year lease agreement with CBS Outdoor, Inc., which will generate \$1,200 for the first year, and

WHEREAS, this action is necessary to recognize the \$1,200 revenue to Parks Services, Account No. 0100-35220-46002 generated from the new lease agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Fiscal Year 2010/2011 Operating Budget in order to recognize \$1,200 in Revenue to Parks Services (0100-35220-46002).

BE IT FURTHER RESOLVED that the Finance Director, or her 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 10th day of May, 2011, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Hawn, Lopez, Marsh, Muratore, Mayor Ridenour

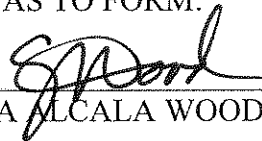
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
SUSANA ALCALA WOOD, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2011-167**

**RESOLUTION AMENDING THE FISCAL YEAR 2010/2011 OPERATING
BUDGET IN ORDER TO RECOGNIZE \$1,200 IN INCREASED EXPENSES TO
PARKS SERVICES (0100-35220-53300)**

WHEREAS, during the property acquisitions for the Kansas-Needham Overcrossing project, the City acquired real property from Noble Properties, and the acquisition included an existing outdoor advertising sign lease with CBS Outdoor, Inc., and

WHEREAS, by separate Council action, Council approved a five-year lease agreement with CBS Outdoor, Inc., which will generate \$1,200 for the first year, and

WHEREAS, this action is necessary to recognize the \$1,200 in increased expenses to Parks Services, Account No. 0100-35220-53300 generated from the new lease agreement,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves amending the Fiscal Year 2010/2011 Operating Budget in order to recognize \$1,200 in increased expenses to Parks Services (0100-35220-53300).

BE IT FURTHER RESOLVED that the Finance Director, or her 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 10th day of May, 2011, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Hawn, Lopez, Marsh, Muratore, Mayor Ridenour

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
SUSANA ALCALA WOOD, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2011-168**

RESOLUTION ACCEPTING THE WORK BY HAYWARD BAKER, INC. FOR THE EFFLUENT PUMP STATION SOIL STABILIZATION PROJECT AS COMPLETE, AUTHORIZING THE CITY CLERK TO FILE A NOTICE OF COMPLETION WITH THE STANISLAUS COUNTY RECORDER AND TO RELEASE SECURITIES UPON EXPIRATION OF STATUTORY PERIODS, AND AUTHORIZING PAYMENT OF AMOUNTS TOTALING \$267,603

WHEREAS, a report has been filed by the Director of Utility Planning and Projects that the Effluent Pump Station Soil Stabilization Project has been completed by Hayward Baker, Inc., in accordance with the contract agreement dated September 7, 2010,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Effluent Pump Station Soil Stabilization Project is hereby accepted as complete from said contractor Hayward Baker, Inc., that the City Clerk is authorized to file a Notice of Completion with the Stanislaus County Recorder, release securities upon expiration of statutory periods, and that payment of amounts totaling \$267,603 is authorized as provided in the contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 2011, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Hawn, Lopez, Marsh, Muratore, Mayor Ridenour

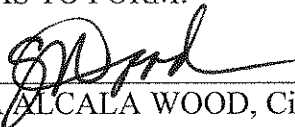
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
SUSANA ALCALA WOOD, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2011-169**

RESOLUTION ACCEPTING THE WORK BY ROLFE CONSTRUCTION FOR THE E. ORANGEBURG AVENUE WATER MAIN REPLACEMENT PROJECT AS COMPLETE, AUTHORIZING THE CITY CLERK TO FILE A NOTICE OF COMPLETION WITH THE STANISLAUS COUNTY RECORDER, AND TO RELEASE SECURITIES UPON EXPIRATION OF STATUTORY PERIODS, AND AUTHORIZING PAYMENT OF AMOUNTS TOTALING \$457,889.43

WHEREAS, a report has been filed by the Director of Utility Planning and Projects that the East Orangeburg Avenue Water Main Replacement project has been completed by Rolfe Construction, in accordance with the contract agreement dated June 22, 2010,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the East Orangeburg Avenue Water Main Replacement project is hereby accepted as complete from said contractor Rolfe Construction, that the City Clerk is authorized to file a Notice of Completion with the Stanislaus County Recorder, release securities upon expiration of statutory periods, and that payment of amounts totaling \$457,889.43 is authorized as provided in the contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 2011, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Hawn, Lopez, Marsh, Muratore, Mayor Ridenour

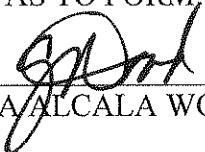
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
SUSANA ALCALA WOOD, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2011-170**

RESOLUTION ACCEPTING THE WORK BY TEICHERT CONSTRUCTION FOR THE DOWNSTREAM WATER SYSTEM IMPROVEMENTS-TIER 2, WEST TANK 12 AND PUMP STATION PROJECT AS COMPLETE, AUTHORIZING THE CITY CLERK TO FILE A NOTICE OF COMPLETION WITH THE STANISLAUS COUNTY RECORDER, AND TO RELEASE SECURITIES UPON EXPIRATION OF STATUTORY PERIODS, AND AUTHORIZING PAYMENT OF AMOUNTS TOTALING \$5,852,232

WHEREAS, a report has been filed by the Director of Utility Planning and Projects that the Downstream Water System Improvements – Tier 2, West Tank 12 and Pump Station project has been completed by Teichert Construction, in accordance with the contract agreement dated October 28, 2008,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Downstream Water System Improvements – Tier 2, West Tank 12 and Pump Station project is hereby accepted as complete from said contractor Teichert Construction, that the City Clerk is authorized to file a Notice of Completion with the Stanislaus County Recorder, to release securities upon expiration of statutory periods, and that payment of amounts totaling \$5,852,232 is authorized as provided in the contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 2011, by Councilmember Lopez, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Hawn, Lopez, Marsh, Muratore,
Mayor Ridenour

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
SUSANA ALCALA WOOD, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2011-171**

**RESOLUTION APPROVING NEIGHBORHOOD STABILIZATION PROGRAM
1 SUBSTANTIAL AMENDMENT AND ITS SUBMISSION TO THE U.S.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO INCLUDE
AS AN ELIGIBLE USE THE REDEVELOPMENT OF A RESIDENTIAL
PROPERTY FOR NON-RESIDENTIAL END-USE (COMMUNITY CENTER);
AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO
EXECUTE ALL RELATED DOCUMENTS**

WHEREAS, in February 2009, the City of Modesto received \$8.1 million from the United States Department of Housing and Urban Development (HUD) as authorized by the Housing and Economic Recovery Act of 2008 (HERA), and

WHEREAS, the City has obligated 100% of these funds on the acquisition and rehabilitation of foreclosed and abandoned properties in accordance with the plan established by the City and approved by HUD for use of these funds, and

WHEREAS, as properties are completed, funds become available through project savings, and become unobligated funds which are available to be re-obligated, and

WHEREAS, staff recommends leveraging these funds with existing Community Development Block Grant (CDBG) funds to fully rehabilitate a property at 805/807 Empire Avenue which is being purchased by the City of Modesto utilizing CDBG funds for use as a community center, and

WHEREAS, the use of these funds will require a Substantial Amendment to Neighborhood Stabilization Program 1 (NSP1) to include as an eligible use the redevelopment of a residential property for non-residential end-use as a community center, and

WHEREAS, the Citizens' Housing and Community Development Committee recommended support of this item at its April 27, 2011 meeting, and

WHEREAS, a duly noticed public hearing was held by the City Council on May 10, 2011, in the Tenth Street Place Chambers located at 1010 Tenth Street, Modesto, California, to consider the Substantial Amendment to NSP1, and

WHEREAS, a Substantial Amendment requires a citizens participation element, including a 30-day public comment period, and

WHEREAS, the 30-day public comment period began on April 5, 2011, and concluded with a public hearing scheduled for the Council meeting of May 10, 2011,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Substantial Amendment to Neighborhood Stabilization Program 1.

BE IT FURTHER RESOLVED, that the City Manager, or his designee, is authorized to execute all related documents.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 2011, by Councilmember Marsh, who moved its adoption, which motion being duly seconded by Councilmember Geer, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Hawn, Lopez, Marsh,
Mayor Ridenour

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
SUSANA ALCALA WOOD, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2011-172**

**RESOLUTION AWARDING THE PROPOSAL FOR THE PURCHASE OF
MOBILE DATA COMPUTERS (MDC) TO LEHR AUTO ELECTRIC,
SACRAMENTO, CA AND ROBOVU, PHOENIX, AZ, AND AUTHORIZING THE
PURCHASING MANAGER TO ISSUE PURCHASE ORDERS FOR THE NOT
TO EXCEED GRANT AMOUNT OF \$1,079,500**

WHEREAS, in 2009, the Modesto Fire Department applied for the 2009 Assistance to Firefighters Grant, using a regional approach, for the mobile data computer (MDC) needs countywide, and

WHEREAS, this approach allows for the City of Modesto to host the grant activity, which will include the purchasing and distribution of 170 MDC's, antenna and the installation of same to seventeen (17) Fire Departments and Fire Protection Districts countywide, and

WHEREAS, this grant provides for the replacement of the Modesto Fire Department's outdated and unreliable units which are currently in service, and

WHEREAS, the new MDC's will allow the use of tracking capabilities by Dispatch allowing for the dispatch of the closest resource ensuring the fastest response times possible, and

WHEREAS, this grant provides a mechanism for departments/districts which were previously unable to purchase MDC's, the ability to procure this equipment thus increasing that agency's ability to communicate with dispatch, and

WHEREAS, this grant has a twenty percent (20%) match and as such, other departments/districts which have elected to be a part of this grant purchase will fund their match in advance of products being ordered.

WHEREAS, with Council permission, the Fire Department issued a request for proposals for the purchase of mobile data computers through the Purchasing Division, and

WHEREAS, the request for proposals was posted on the City's website and formally advertised as required by law, and

WHEREAS, the request for proposals were formally opened in the City Clerk's office, and

WHEREAS, five (5) companies chose to respond, all but one (1) of the five (5) companies provided responsive and responsible proposals.

WHEREAS, the 'combined' estimate cost is being presented as a potential cost for each vendor, and

WHEREAS, the actual dollar values for each vendor will be dependent on the type of mobile data computers purchased by our partnering agencies on this regional approach grant.

WHEREAS, the total purchase will not exceed the grant value of \$1,079,500.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the award of the proposal for the purchase of mobile data computers (MDC) to Lehr Auto Electric, Sacramento, CA and RoboVu, Phoenix, AZ, and authorizing the Purchasing Manager to issue purchase orders for the not to exceed grant amount of \$1,079,500.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 2011, by Councilmember Hawn, who moved its adoption, which motion being duly seconded by Councilmember Burnside, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Burnside, Geer, Hawn, Lopez, Marsh, Muratore, Mayor Ridenour

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
SUSANA ALCALA WOOD, City Attorney