

**MODESTO CITY COUNCIL
RESOLUTION NO. 2018-147**

**RESOLUTION REAPPOINTING EDITH AWUAH AS A VOLUNTEER
ADMINISTRATIVE HEARING OFFICER**

WHEREAS, on February 9, 2010, Council formally appointed six Administrative Hearing Officers including, Ms. Awuah; and

WHEREAS, due to her professional workload she resigned from her hearing officer duties in May of 2012; and

WHEREAS, Ms. Awuah has recently offered to be reappointed; and

WHEREAS, reappointing Ms. Awuah will allow us to schedule hearings in a more efficient manner, have an alternate in case of a conflict of interest challenge and take some of the burden off of our only remaining hearing officer.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the reappointment of Edith Awuah as a volunteer hearing officer.

The foregoing resolution was introduced in a regular meeting of the Council of the City of Modesto held on the 10th 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

**MODESTO CITY COUNCIL
RESOLUTION NO. 2018-148**

**RESOLUTION APPROVING THE SUBMITTAL OF A GRANT APPLICATION
TO THE FEDERAL TRANSIT ADMINISTRATION FOR SECTION 5339
TRANSIT FUNDS IN THE AMOUNT OF \$1,014,188**

WHEREAS, the Federal Transit Administration (FTA) has been delegated authority to award federal financial assistance for transportation related projects, and

WHEREAS, the City has provided all annual certifications and assurances required by the FTA to be eligible for funding under 49 U.S.C Section 5339, and

WHEREAS, the City has chosen to utilize these funds for the improvement of the downtown Transportation Center, and

WHEREAS, the Transportation Improvement project is included in the 2017 Federal Transportation Improvement Program (FTIP) adopted by the Stanislaus Council of Governments (StanCOG), and

WHEREAS, Modesto is eligible to use federally approved Transportation Development Funds, known as Toll Credits, in lieu of a local match.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the submittal of an application to the FTA for \$1,014,188 in Section 5339 funds.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th 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

**MODESTO CITY COUNCIL
RESOLUTION NO. 2018-149**

**RESOLUTION APPROVING A LIST OF PROJECTS TO BE SUBMITTED TO
THE CALIFORNIA TRANSPORTATION COMMISSION FOR POTENTIAL
FUNDING WITH ROAD REPAIR AND ACCOUNTABILITY TAX (SB1)
PROCEEDS IN FISCAL YEAR 2018-2019**

WHEREAS, on April 28, 2017, the Governor signed Senate Bill (SB) 1, which is known as the Road Repair and Accountability Act of 2017, and

WHEREAS, the primary focus of that Bill is to address basic road maintenance, rehabilitation and critical safety needs on both the state highways and local streets and road systems, and

WHEREAS, beginning November 1, 2017, the State Controller's Office will deposit various portions of this new funding into the new created Road Maintenance and Rehabilitation Account (RMRA), and

WHEREAS, Council by Resolution No. 2017-355 approved a list of projects to be funded with RMRA proceeds, and

WHEREAS, additionally, Council by Resolution No. 2018-15 approved the Maintenance of Effort (MOR) related to Measure L and Senate Bill 1 RMRA proceeds, and

WHEREAS, one of the criteria for funding of RMRA proceeds requires cities to submit an approved project list by May 1, 2018 for FY 2018-19, and

WHEREAS, the proposed project list must be adopted by the Council to be eligible for funding, and

WHEREAS, the project includes a project list of Slurry Seal, Crack Seal, Asphalt Repairs (dig outs), Traffic Signal and Street Lighting Maintenance and Traffic Signs and

Striping Maintenance, and

WHEREAS, on March 26, 2018, this item was presented to the Finance Committee, and recommended to Council for approval.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a list of projects to be submitted to the California Transportation Commission for potential funding with Road Repair and Accountability Tax (SB1) proceeds in Fiscal Year 2018-2019.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th 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

**MODESTO CITY COUNCIL
RESOLUTION NO. 2018-150**

RESOLUTION APPROVING AN ON-CALL AGREEMENT WITH KRAZAN ASSOCIATES, INC., FOR MATERIALS TESTING AND SPECIAL INSPECTION SERVICES, FOR A TWO YEAR TERM, NOT TO EXCEED \$74,500, AND AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE AGREEMENT

WHEREAS, City staff finds it necessary to utilize the services of a materials testing firm during the course of administering the construction on public improvement projects, and

WHEREAS, the testing services are required to help achieve compliance with the specification requirements of the various projects, and

WHEREAS, staff does not have the required equipment or certifications to perform all the required testing services, and

WHEREAS, bids were opened on March 6, 2018, for the On-call Special Inspection and Material Testing Services agreement, and

WHEREAS, the firm of Krazan & Associates, Inc., was one of two low responsive bidders,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a two year Agreement with Krazan & Associates, Inc., to perform Special Inspection and Material Testing Services for various Capital Improvement projects, in an amount not to exceed \$74,500.

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 10th 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

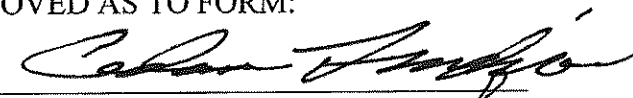
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2018-151**

**RESOLUTION APPROVING AN ON-CALL AGREEMENT WITH
CONSTRUCTION TESTING SERVICES, FOR MATERIALS TESTING AND
SPECIAL INSPECTION SERVICES, FOR A TWO YEAR TERM, NOT TO
EXCEED \$74,500, AND AUTHORIZING THE INTERIM CITY MANAGER OR
HIS DESIGNEE TO EXECUTE THE AGREEMENT**

WHEREAS, City staff finds it necessary to utilize the services of a materials testing firm during the course of administering the construction on public improvement projects, and

WHEREAS, the testing services are required to help achieve compliance with the specification requirements of the various projects, and

WHEREAS, staff does not have the required equipment or certifications to perform all the required testing services, and

WHEREAS, proposals were opened on March 6, 2018, for the On-call Special Inspection and Material Testing Services agreement, and

WHEREAS, the firm of Construction Testing Services, Inc., was one of two low responsive bidders,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a two year Agreement with Construction Testing Services, Inc., to perform Special Inspection and Material Testing Services for various Capital Improvement projects, in an amount not to exceed \$74,500.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute 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 10th 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

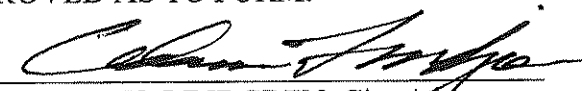
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney

**MODESTO CITY COUNCIL
RESOLUTION NO. 2018-152**

RESOLUTION APPROVING A FIRST AMENDMENT TO THE CURRENT CONTRACT WITH KRAZAN AND ASSOCIATES, INC., FOR SPECIAL INSPECTION AND TESTING SERVICES, FOR \$25,000, FOR A TOTAL AMOUNT NOT TO EXCEED \$75,000, AND AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE AMENDMENT

WHEREAS, City staff finds it necessary to utilize the services of a materials testing firm during the course of administering the construction on public improvement projects, and

WHEREAS, the testing services are required to help achieve compliance with the specification requirements of the various projects, and

WHEREAS, staff does not have the required equipment or certifications to perform all the required testing services, and

WHEREAS, October 30, 2017, the City approved an Agreement with Krazan & Associates, Inc., to perform On-call Special Material Testing Services on various City of Modesto, in an amount not to exceed \$50,000, and

WHEREAS, the current contract is with only one consultant, Krazan and Associates, Inc. and this contract is set to expire in August 2018, however, because the latest RFQ included updated and new requirements in the proposed agreements, staff recommends closing the current agreement, and

WHEREAS, in this last year, the amount of construction projects has increased which caused a subsequent increase for materials testing and special inspection, therefore it is necessary to amend the current budget and close out the agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves a First Amendment to the current agreement with Krazaan & Associates, Inc., for On-call Special Material Testing Services for various Capital Improvement Program projects in the amount of \$25,000 for a total amount not to exceed \$75,000.

BE IT FURTHER RESOLVED that the Interim City Manager, or his designee, is hereby authorized to execute the amendment, 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 10th 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

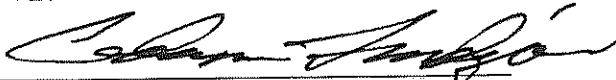
NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: 
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: 
ADAM U. LINDGREN, City Attorney