

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING AND AUTHORIZING THE PURCHASE OF A TRACTOR AND FLAIL MOWER FROM RDO EQUIPMENT AND APPROVING AND AUTHORIZING SENDING THE EXISTING TRACTOR AND FLAIL MOWER TO AUCTION

WHEREAS, in order to update its maintenance equipment fleet, the Community Services Maintenance Division desires to purchase one tractor and one flail mower; and

WHEREAS, pursuant to Morgan Hill Municipal Code (“MHMC”) Section 3.04.150, purchases in excess of \$45,000 must be made through competitive bid; and

WHEREAS, pursuant to MHMC Section 3.04.400, disposals of property valued at more than \$2,500 must be authorized by the City Council; and

WHEREAS, the Maintenance Division, in light of the purchases of one tractor and one flail mower, desire to dispose of the City’s current tractor and flail mower; and

WHEREAS, further reasons supporting the purchases and disposals that are the subject of, this Resolution are set forth in detail in that certain City Council Staff Report entitled, “APPROVAL OF TRACTOR AND FLAIL MOWER PURCHASE,” submitted for City Council consideration at its meeting of December 16, 2015, submitted to the City Council by the City Manager (the “Staff Report”), the contents of which Staff Report are incorporated herein by this reference; and

WHEREAS, the consideration by City Council of the adoption of this Resolution has been duly noticed pursuant to the application laws and has been placed upon the City Council Meeting Agenda on the date set forth in the Staff Report, or to such date that the City Council may have continued or deferred consideration of this Resolution, and on such date the City Council conducted a duly noticed public meeting at which meeting the City Council provided members of the public an opportunity to comment and be heard and considered any and all testimony and other evidence provided in connection with the adoption of this Resolution; and

WHEREAS, the activities allowed under this Resolution do not constitute a project under the provisions of the California Environmental Quality Act of 1970; and

WHEREAS, the City Council determines that adoption of this Resolution is in the public interest.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

Section 1. Recitals. The City Councils does hereby find, determine and resolve that all of the foregoing recitals are true and correct.

Section 2. Approval and Authorization. The City Council does further resolve, order and/or direct as follows:

- a. That the purchase of the tractor and flail mower for the amount not to exceed one hundred forty two thousand five hundred nine dollars and thirteen cents (\$142,509.13) is hereby approved.
- b. That the City Manager is hereby delegated authority to and is authorized to purchase the tractor and flail mower.
- c. That the City Manager is hereby delegated authority to and is authorized to send the current tractor and flail mower to auction as both vehicles have exceeded their useful lives.
- d. That the City Manager is hereby delegated authority to and is authorized to take all other ministerial actions that may be necessary or appropriate to implement the provisions of this Resolution.

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 16th day of December 2015 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:

DATE: _____

Steve Tate, Mayor

CERTIFICATION

I, Irma Torrez, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____, adopted by the City Council at the meeting held on December 16, 2015.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

Irma Torrez, CITY CLERK