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RESOLUTION NUMBER R- 307728
DATE OF FINAL PASSAGE OCT 16 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING AN AMENDMENT TO THE
AGREEMENT WITH LOS ANGELES TRUCK CENTER FOR
THE PURCHASE OF AUTOMATED REFUSE PACKERS; AND
AUTHORIZING EXPENDITURES FOR THOSE PURCHASES.

WHEREAS, in November 2011, by Resolution No. R-307073, the City Council authorized an agreement with Los Angeles Truck Center, LLC, doing business as San Diego Freightliner, to furnish the City with automated side-loading refuse packers, as needed, for a term of one year, with options to renew the agreement for up to four additional one-year periods [Agreement]; and

WHEREAS, the City Council expressed a desire to monitor purchases under the Agreement and authorized funding up to \$5,000,000; and

WHEREAS, the City has ordered 20 refuse packers to date during the initial term of the Agreement and the initial funding has been exhausted; and

WHEREAS, the City wishes to continue the scheduled purchase of replacement refuse packers to continue replacing the City's aging fleet; and

WHEREAS, the City also wishes to exercise the option to renew the Agreement for an additional year, extending the term from March 2, 2013 through March 1, 2014; NOW,

THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the Chief Financial Officer is authorized to expend an amount not to exceed the amount budgeted from Fund No. 720011, Fleet Svc RP-100000 General Fund, for the purchase

of additional refuse packers for the City's refuse collection fleet and from Fund No. 720037, Fleet Svc RP – 700048 Recycling Fund, for the purchase of additional refuse packers for the City's recycling fleet, under the above Agreement, as needed and as funds become available, in accordance with the Fleet Services motive equipment purchase plan approved by Council, and contingent on adoption of the annual Appropriations Ordinance for the applicable fiscal year and the Comptroller's first issuing one or more certificates demonstrating that the funds are available.

2. That the Mayor or his designee is hereby authorized to execute, for and on behalf of the City, an amendment to the Agreement to provide automated side-loading refuse packers, as needed, for an additional one-year term from March 2, 2013 through March 1, 2014, and under the terms and conditions set forth in the First Amendment, on file with the City Clerk as Document No. RR- **307728**

3. That the Chief Financial Officer is authorized to expend an amount not to exceed the amount budgeted from Fund No. 720011, Fleet Svc RP-100000 General Fund, for the purchase of additional refuse packers for the City's refuse collection fleet and from Fund No. 720037, Fleet Svc RP – 700048 Recycling Fund, for the purchase of additional refuse packers for the City's recycling fleet, under the above First Amendment, as needed and as funds become available, in accordance with the Fleet Services motive equipment purchase plan approved by Council, and contingent on adoption of the annual Appropriations Ordinance for the applicable fiscal year and the Comptroller's first issuing one or more certificates demonstrating that the funds are available.

4. That the Mayor or his designee is authorized to exercise one or more options to extend the above Agreement, under the terms and conditions set forth in the Agreement, and the Chief Financial Officer is authorized to expend an amount not to exceed the amount budgeted

from Fund No. 720011, Fleet Svc RP-100000 General Fund, and from Fund No. 720037, Fleet Svc RP – 700048 Recycling Fund, solely and exclusively for the purchase of refuse packers for the City’s refuse collection fleet and recycling collection fleet, respectively, as needed, in accordance with the Fleet Services annual motive equipment purchase plan approved by Council and contingent on adoption of the annual Appropriations Ordinance for the applicable fiscal year and the Comptroller’s first issuing one or more certificates demonstrating that the funds are available.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Grace C. Lowenberg
Grace C. Lowenberg
Deputy City Attorney

GCL:mb
09/10/12
Or.Dept:ESD
Doc.No:427616

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of OCT 09 2012.

ELIZABETH S. MALAND, City Clerk

By Elizabeth S. Maland
Deputy City Clerk

Approved: 10-16-12
(date)

Jerry Sanders
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor