

Resolution No.

# STOCKTON CITY COUNCIL

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**RESOLUTION APPROVING FINDINGS, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A MASTER LEASE--PURCHASE AGREEMENT WITH TPB INVESTMENTS, INC. IN THE AMOUNT OF \$2.0 MILLION (UP TO \$2.2 MILLION AUTHORIZED), APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE TWO PURCHASE AGREEMENTS WITH ROSENBAUER AMERICA IN THE AMOUNT OF \$2,721,884.32 FOR THE PURCHASE OF THREE FIRE ENGINES AND ONE LADDER TRUCK, AND AMENDING THE FISCAL YEAR 2014-15 BUDGET IN THE AMOUNT OF \$2.0 MILLION IN THE FLEET FUND**

A form of Master Lease – Purchase Agreement and term sheet (collectively, the “Master Lease”) setting forth the financing terms for the lease financing (the “Financing”) of the three fire engines and one ladder truck, by and between the City of Stockton (the “City”) and TPB Investments, Inc., an affiliate of Western Alliance Bank (“TPB”), has been prepared and presented to the City Council (the “Council”), and the Council has examined and considered the Master Lease and desires to authorize and direct the execution of such documents as are specified herein and such other documents as are necessary in connection with the Financing and to authorize and direct the consummation of the Financing; and

In accordance with Stockton Municipal Code (SMC) section 3.68.070(B), findings were provided in support of using a cooperative purchasing agreement for the purchase of these fire vehicles and entering into a lease with TPB Investments, Inc.; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. Pursuant to SMC section 3.68.070(B), the City Council hereby approves the following findings in support of using a cooperative purchasing agreement:
  - a. NJPA completed a Request for Proposal (RFP) for fire trucks and fire apparatus with related accessories and supplies in 2013 and established a National Cooperative Purchasing Contract pursuant to a competitive bidding process.
  - b. Under the NJPA Cooperative Purchasing Contract, the City has evaluated the participating manufacturers and selected Rosenbauer America for the purchase of three fire engines and one ladder as the manufacturer that best meets the City specification and requirements.

- c. The RFP and bid specification used by the NJPA has been assessed as compatible to the City's standards.
- d. The purchase of the Rosenbauer engines will provide an overall lower cost of maintenance of the City's fire fleet due to availability of commercial off the shelf parts, lower costs to repair chassis components, and a 10 percent cap on specific parts for the life of the vehicle.

2. The City Council hereby approves the Master Lease-Purchase Agreement between the City of Stockton and TPB Investments, Inc., in an amount not to exceed \$2.2 million in substantially the form presented to the Council as Exhibit 1, with such changes therein as the City Manager may require or approve, and authorizes the City Manager to execute same.

3. The City Council hereby approves the Purchase Agreement between Rosenbauer Minnesota, LLC and the City of Stockton, in the amount of \$1,109,039.00, and the Purchase Agreement between Rosenbauer South Dakota LLC and the City of Stockton, in the amount of \$1,413,909.00, for the purchase of three fire engines and one ladder truck, copies of which are attached as Exhibit 2 and Exhibit 3, and authorizes the City Manager to execute same.

4. The Fiscal Year 2014-15 Budget is amended in the amount of \$2.0 million in the Fleet Fund (Fund 501).

5. The City Manager is hereby authorized and directed to give any approval, consent, direction, notice, order, request, or execute such documents (including without limitation tax certificates and reporting documents, title transfer or registration documents, insurance certificates or other documents, sales and delivery agreements, security documents, and other certificates, letters, agreements or documents or any amendments thereof or supplements thereto), or take whatever actions the City Manager deems necessary or appropriate to consummate the Financing or otherwise carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED May 19, 2015.

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ANTHONY SILVA, Mayor  
of the City of Stockton

ATTEST:

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BONNIE PAIGE, City Clerk  
of the City of Stockton