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2 **BILL NO. S-11-04-10**

3 **SPECIAL ORDINANCE NO. 8-98-11**

4 **AN ORDINANCE approving the financing of various**
5 **vehicles and equipment items by the City of Fort**
6 **Wayne; authorizing acceptance of a lessor; and**
7 **approving other actions with respect thereto.**

8 **WHEREAS**, the City of Fort Wayne needs to acquire various vehicles and
9 equipment items for use by several departments of the City of Fort Wayne for continued
10 effective operations; and

11 **WHEREAS**, various bids have been let for the acquisition of various vehicles
12 and equipment items and Common Council approval of the acquisition of said various
13 vehicles and equipment items has either been received or is pending; and

14 **WHEREAS**, this Common Council now deems it in the public interest to
15 finance said various vehicles and equipment items rather than outright purchase said items;
16 and

17 **WHEREAS**, sufficient net revenues are available from the City to make
18 lease financing debt payments on a timely basis as required for the financing of various
19 vehicles and equipment items; and

20 **WHEREAS**, an informal request for quotes for lease financing in accordance
21 with IC 5-22-6-1 from lessors was made to acquire the various vehicles and equipment items
22 and to lease same to the City, pursuant to the terms and conditions contained in Exhibit "A";
23 and

24 **WHEREAS**, the proposed financing provides for fair and reasonable rental
25 and other equitable terms and conditions and, further, that the execution of said financing will
26 permit the use and acquisition of said various vehicles and equipment items within the
27 present financial capabilities of the City and therefore same is in the public interest.

28 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF**
29 **THE CITY OF FORT WAYNE, INDIANA:**
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SECTION 1. The Common Council of the City of Fort Wayne hereby authorizes the City to lease, as lessee, those various vehicles and equipment items listed on the attached Exhibit "A", made a part hereof. It is understood that the exact lessor purchase costs for such various vehicles and equipment items listed on the Exhibit "A" shall be determined in accordance with bidding procedures of this City and accordingly subject to approval by this Common Council; however, the gross cost for such purchases excluding financing costs shall not exceed Eight Million Two Hundred Thousand and no/100 Dollars (\$8,200,000).

SECTION 2. The Common Council of the City of Fort Wayne hereby authorizes the City to enter into the lease financing upon the determination by the City Attorney.

SECTION 3. The City is hereby empowered and authorized to award lessor rights to the most responsive and responsible quoter as it determines in its sole judgment and based on its criteria.

SECTION 4. The Mayor, the City Controller and the City Deputy Controller are empowered and authorized to execute, on behalf of the City, leases and other documents as contemplated herein with lessor so selected.

SECTION 5. This ordinance shall be in full force and in effect from and after its passage and approval by the Mayor.


Council Member

APPROVED AS TO FORM AND LEGALITY


Carol Helton, City Attorney

Read the first time in full and on motion by Smith and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 2011, at _____ o'clock _____ M.E.S.T.

DATED: 4-12-11

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Smith placed on its passage. PASSED lost and duly adopted, by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>	_____	_____
<u>BENDER</u>	<u>✓</u>	_____	_____	_____
<u>BROWN</u>	_____	<u>✓</u>	_____	_____
<u>DIDIER</u>	<u>✓</u>	_____	_____	_____
<u>GOLDNER</u>	<u>✓</u>	_____	_____	_____
<u>HARPER</u>	<u>✓</u>	_____	_____	_____
<u>HINES</u>	<u>✓</u>	_____	_____	_____
<u>PAPE</u>	<u>✓</u>	_____	_____	_____
<u>SHOAFF</u>	<u>✓</u>	_____	_____	_____
<u>SMITH</u>	<u>✓</u>	_____	_____	_____

DATED: 4-26-11

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE (RESOLUTION) NO. B-98-11 on the 26th day of April, 2011

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL
Matthew Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of April, 2011, at the hour of 11:00 o'clock A. M.E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28TH day of APRIL, 2011, at the hour of 2:30 o'clock P. M.E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR