

1 **BILL NO. S-12-07-05**

2 **SPECIAL ORDINANCE NO. A-8-74-12**

3 **AN ORDINANCE approving the financing of the P25**
4 **Public Safety Network upgrade by the City of Fort**
5 **Wayne; authorizing acceptance of a lessor; and**
6 **approving other actions with respect thereto.**

7 **WHEREAS**, the City of Fort Wayne needs to upgrade the public safety
8 network of the combined communications area for continued effective operations; and

9 **WHEREAS**, various bids have been let for the upgrade of the public safety
10 network and Common Council approval of the upgrade has been received; and

11 **WHEREAS**, this Common Council now deems it in the public interest to
12 finance the City's portion of the radios for public safety that will be used with the
13 communications network upgrade; and

14 **WHEREAS**, sufficient net revenues are available from the City to make
15 lease financing debt payments on a timely basis as required for the financing of the City's
16 portion of the radios for public safety that will be used with the communications network
17 upgrade; and

18 **WHEREAS**, an informal request for quotes for lease financing was made;
19 and

20 **WHEREAS**, the proposed financing provides for fair and reasonable rental
21 and other equitable terms and conditions and, further, that the execution of said financing will
22 permit the use and acquisition of the radios within the present financial capabilities of the City
23 and therefore same is in the public interest.

24 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF**
25 **THE CITY OF FORT WAYNE, INDIANA:**

26 **SECTION 1.** The Common Council of the City of Fort Wayne hereby
27 authorizes the City to lease, as lessee, the City's portion of the radios for public safety that
28 will be used with the communications network upgrade. It is understood that the exact lessor
29 purchase costs for the City's portion of the radios shall be determined in accordance with
30

bidding procedures of this City and accordingly subject to approval by this Common Council; however, the gross cost for such purchase excluding financing costs shall not exceed Five Million Five Hundred Seventy Thousand Five Hundred and Six Dollars (\$5,570,506).

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 and the City 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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Read the first time in full and on motion by Shoaff, 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 Room 030 - Council Discussion Garden Level - Citizens Square, Fort Wayne, Indiana, on _____, the _____ day of _____, 2012, at _____ o'clock _____ M., E.S.T.

DATED: 7-10-12

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Harper placed on its passage. PASSED LOST 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>CRAWFORD</u>	<u>✓</u>	_____	_____	_____
<u>DIDIER</u>	<u>✓</u>	_____	_____	_____
<u>HARPER</u>	<u>✓</u>	_____	_____	_____
<u>HINES</u>	<u>✓</u>	_____	_____	_____
<u>JEHL</u>	<u>✓</u>	_____	_____	_____
<u>PADDOCK</u>	<u>✓</u>	_____	_____	_____
<u>SHOAFF</u>	_____	_____	_____	<u>✓</u>
<u>SMITH</u>	<u>✓</u>	_____	_____	_____

DATED: 7-24-12

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. S-74-12 on the 24th day of July, 2012

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

SEAL
[Signature]
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 2012, at the hour of 11:30 o'clock PM M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 25th day of July, 2012, at the hour of 2:30 o'clock _____ M., E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR