

ORDINANCE NO. 92-21

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO ENTER INTO A MASTER TAX-EXEMPT LEASE/PURCHASE AGREEMENT WITH KEY GOVERNMENT FINANCE, INC. TO ACQUIRE EQUIPMENT FOR USE IN THE SERVICE DEPARTMENT, RATIFYING PREVIOUS ACQUISITIONS AND DECLARING AN EMERGENCY

WHEREAS, the City of Avon entered into a Master Tax-Exempt Lease/Purchase Agreement with Key Government Finance, Inc. back on October 15, 2014 for the purpose of acquiring large pieces of equipment to be used in the various City Departments; and

WHEREAS, the first piece of equipment acquired was a CUES Sewer Assessment System mounted on a Ford E450 chassis (2014) for the Service Department through the State of Ohio=s Cooperative Purchasing Program operated through the Ohio Department of Administrative Services (DAS) pursuant to Ohio Revised Code Section 125.04(B)(2); and

WHEREAS, the second piece of equipment acquired was a 2017 Ford F-550 aerial truck for use in the Service Department, division of Streets; and

WHEREAS, the third piece of equipment acquired was a Vactor Manufacturing Model 2110 Combination Sewer Cleaner mounted on a Freightliner SD Series single axel cab; and

WHEREAS, the City now seeks to acquire a fourth piece of equipment, viz., a Caterpillar Model D3 XL Track Type Tractor (bull dozer) through Sourcewell, Contract Number 032119-CAT; and

WHEREAS, the Finance Director and the Superintendent of Streets recommends the purchase of this piece of equipment through Key Government Finance, Inc.; and

WHEREAS, Council, having reviewed the proposed purchase of equipment and the recommendations of the Finance Director and Superintendent of Streets, finds the acquisition to be in the best interests of the health, safety and welfare of the citizens of Avon in maintaining modern equipment at the lowest available cost for use in various City departments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That City Council hereby authorizes the Finance Director to enter into the Master Tax-Exempt Lease/Purchase Agreement with Key Government Finance, Inc. to facilitate the purchase of a Caterpillar Model D3 XL Track Type Tractor (bull dozer) through Sourcewell, Contract Number 032119-CAT for use by the City's Service Department pursuant to the terms set forth in Exhibit A attached hereto and incorporated herein by this reference.

Section 2 - Payment in the amounts set forth in [Exhibit A](#) shall be made through 2026 from the Street Construction, Maintenance and Repair Fund No. 201 pursuant to the directives of the Finance Director to meet the City's obligation under the Key Government Finance Agreement.

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Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to purchase new equipment for the Service (Street) Department; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Barbara J. Brooks, Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director