



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 3111-2022, **Version:** 1

BACKGROUND: This ordinance authorizes the Director of the Department of Finance and Management, on behalf of the Division of Support Services, to associate the General Budget Reservation resulting from this ordinance with the Universal Term Contract Purchase Agreement for Motorola Radios with Motorola Inc., as required for approval by City Council for an expenditure of more than \$100,000.00. The Division of Support Services needs to purchase replacement hand held radios for Police and Fire sworn personnel and for the various recruit classes for both groups. An existing Universal Term Contract was established by the Purchasing Office for such purpose with Motorola, Inc. This ordinance will fund the purchase of new radios and accessories with Motorola, Inc. via the terms and conditions of the Universal Term Contract established with Motorola.

Bid Information: A Universal Term Contract with Motorola Inc. exists for this expenditure. The contract compliance number for Motorola Inc. is 36-1115800: Expires 6/30/2023 and PA005455.

EMERGENCY: Emergency designation is requested in order to ensure regional radio interoperability with surrounding Public Safety Agencies as well as to provide safety to those first responders in the Divisions of Police and Fire.

FISCAL IMPACT: Funds for this purchase are budgeted within Public Safety's 2022 Capital Improvement Budget. Funds from the Public Safety's 2022 Capital Improvement Budget will need to be certified against the SIT and reimbursed with future bond sale proceeds.

To authorize the Finance and Management Director to establish purchase orders from an existing Purchase Agreement with Motorola, Inc. for the purchase of portable radios for the Department of Public Safety; to authorize the City Auditor to appropriate and transfer funds from the Special Income Tax Fund to the Public Safety's Capital Improvement Fund; to authorize the expenditure of \$2,000,000.00 from Public Safety's Capital Improvement Fund; and to declare an emergency. (\$2,000,000.00)

WHEREAS, the Department of Public Safety personnel are in need of new radios for the new recruit classes and replacement radios; and

WHEREAS, a Universal Term Contract established by the Purchasing Office with Motorola, Inc. exists for this purchase; and

WHEREAS, funds are budgeted in the Department of Public Safety's 2022 Capital Improvement Budget for the purchase of Police and Fire radios, and

WHEREAS, it is necessary to transfer funds from the Special Income Tax Fund to the Safety Voted Bond Fund; and

WHEREAS, the City will reimburse the Special Income Tax Fund; and

WHEREAS, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregated principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$2,000,000; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986 (as amended) with respect to the project described in this ordinance (the "Project"); and

WHEREAS, an emergency exists in the usual daily operation of the Public Safety Department, Division of Support Services, in that it is immediately necessary to authorize and direct the Finance and Management Director to associate the General Budget Reservation and expend funds from the Capital Improvement Fund for the purchase of portable radios and accessories to ensure regional radio interoperability with surrounding Public Safety Agencies as well as to provide safety to those first responders in the Divisions of Police and Fire, thereby preserving the public health, peace, property, safety, and welfare, **now, therefore:**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Finance and Management be and is hereby authorized to associate the General Budget Reservation resulting from this ordinance with the Universal Term Contract Purchase Agreement with Motorola, Inc. for the purchase of portable radios and accessories in accordance with the terms and conditions of contract PA003503, for the Department of Public Safety.

SECTION 2. That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ended December 31, 2022, the sum of \$2,000,000 is appropriated in Fund 4430 (Special Income Tax), Dept-Div 2201 (City Auditor), in Object Class 10 (Transfer Out Operating) per the account codes in the attachment to this ordinance.

SECTION 3. That the transfer of \$2,000,000.00, or so much thereof as may be needed, is hereby authorized from Fund 4430 (Special Income Tax), Dept-Div 2201 (City Auditor) to Fund 7701 (Public Safety Voted Bond Fund), Dept-Div 3002 (Support Services) per the account codes in the attachment to this ordinance.

SECTION 4. That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ended December 31, 2022, the sum of \$2,000,000 is appropriated in Fund 7701 (Public Safety Voted Bond Fund), Dept-Div 3002 (Support Services), Project P320001-100001, Police and Fire Annual Radio Equipment Program, in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 5. That the expenditure of \$2,000,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7701 (Safety Voted Bond Fund), in Dept-Div 3002, P320001-100001 (Police and Fire Annual Radio Equipment Program), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 6. That upon obtaining other funds for this project for the Department of Finance and Management, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3.

SECTION 7. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$2,000,000 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund

from which the advance for costs of the Project will be made.

SECTION 8. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 9. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 10. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required.

SECTION 11. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.