

**ORDINANCES AND RESOLUTIONS
UP FOR INTRODUCTION**

MARCH 10, 2009

FINANCE COMMITTEE

*Glynn A. Hines - Chair
Elizabeth M. Brown - Co-Chair
All Council Members*

ACTION

S-09-03-01

**AN ORDINANCE designating the Board of Public Works as leasing agent for the City of Fort Wayne, Indiana, approving the lease of various vehicles and equipment items by the City of Fort Wayne; approving a form of lease; authorizing acceptance of a lessor; and approving other actions with respect thereto
Total cost shall not exceed \$2,900,000**

S-09-03-02

**AN ORDINANCE approving the awarding of extension of ITB #1651 - purchase of 22 Mobile Tactical Computers by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and OEM Micro for the Fort Wayne Fire Department
Total cost of \$130,724**

S-09-03-09

**AN ORDINANCE approving agreement between the City of Fort Wayne and the Allen County - Fort Wayne Historical Society, in connection with the Board of Public Works
Total cost of \$49,000**

S-09-03-11

**AN ORDINANCE approving the Purchase of 250 Dell Desktop Computers by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Experienced Office Solutions
Total cost of \$103,080**

REGULATIONS COMMITTEE

*John Shoaff - Chair
Thomas F. Didier - Co-Chair
All Council Members*

ACTION

G-09-03-05

**AN ORDINANCE amending the Thoroughfare Plan of the City
Comprehensive (“Master”) Plan by vacating public right-of-way
To vacate Catalpa Street, formally known as Georgia Street**

PUBLIC HEARING 3-24-09 - 5:30 P.M.

G-09-03-06

**AN ORDINANCE amending the Thoroughfare Plan of the City
Comprehensive (“Master”) Plan by vacating public right-of-way
To vacate an east-west ten (10)foot platted alley located
Between 2615 and 2617 South Anthony Boulevard**

PUBLIC HEARING 3-24-09 - 5:30 P.M.

PUBLIC WORKS COMMITTEE

*Karen E. Goldner- Chair
Marty Bender - Co-Chair
All Council Members*

S-09-03-03

**AN ORDINANCE approving the awarding of RFQ #2999 -
purchase of a 48” Planer by the City of Fort Wayne, Indiana, by
and through its Department of Purchasing and Southeastern
Equipment for the Street Department
Total cost of \$113,600**

PUBLIC WORKS COMMITTEE CONTINUED

ACTION

S-09-03-08

**AN ORDINANCE approving construction contract - Resolution #2134-2009, Flood Control Program; Park-Thompson Area, Work Order #80539 between Crosby Excavating and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of 752,672.55**

R-09-03-10

**A RESOLUTION approving a lease agreement between the City of Fort Wayne and Parkview Health System, Inc. by and through its Board of Public Works for the Fort Wayne Police Department
Term of lease commences on April 1, 2009, and ends March 31, 2014 for the annual rental of Ten Dollars**

CITY UTILITIES COMMITTEE

*Mitch Harper - Chair
Tim Pape- Co-Chair
All Council Members*

No Ordinances or Resolutions up for introduction

#1164

BILL NO. G-09-03-05

Plat Book No.: 7A
Page No: 49

GENERAL ORDINANCE NO. G-_____

**AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating public right-of-way.**

WHEREAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne, Indiana; and

WHEREAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing and approved said petition, as provided in I.C. 36-7-3-12.

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

SECTION 1. That the petition filed herein to vacate a public right-of-way within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

Catalpa Street, formally known as Georgia Street on the plat of Creed T. Banks Addition to the City of Fort Wayne, Plat Book 7, page 49, recorded February 3, 1914, and in re-subdivision of Lot 5 in Plat Book 7B, page 111, from the north line of Covington Road to the South line of Ontario Street.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

Carol T. Taylor, City Attorney

#1165

BILL NO. G-09-03-06

GENERAL ORDINANCE NO. G-_____

**AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating public right-of-way.**

WHEREAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne, Indiana; and

WHEREAS, Common Council of the City of Fort Wayne, Indiana, duly held a public hearing and approved said petition, as provided in I.C. 36-7-3-12.

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

SECTION 1. That the petition filed herein to partially vacate a public right-of-way within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

A 10 foot platted alley being described as follows: Beginning at the Southwest corner of Lot 4 Zorbaugh's Amended. Subdivision to the City of Fort Wayne, Allen County, Indiana, thence East along the South line of said Lot 4, 145.00 feet to the Southeast corner of said Lot 4; thence South 10.0 feet to the Northeast Corner of Lot 1 in Doctor's Addition to the City of Fort Wayne, according to the plat thereof, recorded in Plat Record 4, page 15 in the office of the Recorder of Allen County, Indiana; thence West along the North line of said Lot 1 145.0 feet to the Northwest corner of said Lot 1; thence north 10.0 feet to the point of beginning.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

Carol T. Taylor, City Attorney

BILL NO. R-09-03-10

RESOLUTION NO. _____

**A RESOLUTION APPROVING A LEASE AGREEMENT
BETWEEN THE CITY OF FORT WAYNE AND PARKVIEW
HEALTH SYSTEM, INC. BY AND THROUGH ITS BOARD
OF PUBLIC WORKS FOR THE FORT WAYNE POLICE
DEPARTMENT.**

WHEREAS, the City of Fort Wayne Police Department desires to relocate the NE Quadrant Office; and

WHEREAS, the City of Fort Wayne Police Department Department, through the Board of Public Works, desires to lease a building located at 2730 East State Blvd. for the NE Quadrant Office; and

WHEREAS, the term of lease commences on April 1, 2009, and ends March 31, 2014 for the annual rental of Ten Dollars – (\$10.00); and

WHEREAS, said lease agreement requires the approval of the Common Council of the City of Fort Wayne.

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

SECTION 1. That said lease agreement between the City of Fort Wayne, Indiana, and Parkview Health System, Inc., (Exhibit "A" attached hereto and made a part hereof), is hereby approved by the Common Council of the City of Fort Wayne, Indiana.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

BILL NO. S-09-03-01

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE designating the Board of Public Works as leasing agent for the City of Fort Wayne, Indiana; approving the lease of various vehicles and equipment items by the City of Fort Wayne; approving a form of lease; authorizing acceptance of a lessor; and approving other actions with respect thereto.

WHEREAS, the City of Fort Wayne, Board of Public Works needs to acquire various vehicles and equipment items for use by several departments of the City of Fort Wayne for continued effective operations; and

WHEREAS, the Board of Public Works has, in the past, generally coordinated the leasing of various vehicles and equipment items and has let bids therefore; and

WHEREAS, various bids have been let for the acquisition of various vehicles and equipment items and Common Council approval of the acquisition of said various vehicles and equipment items is pending; and

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

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

WHEREAS, a form of lease with option to purchase has been reviewed and is deemed appropriate for the lease of said various vehicles and equipment items by the City; and

WHEREAS, notices have been published requesting proposals from lessors to acquire the various vehicles and equipment items and to lease same to the City, pursuant to the terms and conditions contained in the form of lease; and

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

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

SECTION 1. This Common Council finds that the Board of Public Works should be and hereby is designated as the leasing agent for the City of Fort Wayne, Indiana, for the transaction herein contemplated.

SECTION 2. 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 Two Million Nine Hundred Thousand and no/100 Dollars (\$2,900,000).

SECTION 3. The form of the lease, with option to purchase for said lease is attached hereto as a part hereof, as Exhibit "A". The City shall use this form of lease, with option to purchase, for the transactions herein contemplated and said form of lease is hereby approved and ratified. This lease form may be modified only to the extent that such modifications are not material in form or consideration. Authority is hereby given for the Board of Public Works to enter into the lease upon the determination by the Corporation Counsel.

SECTION 4. The Board of Public Works of the City of Fort Wayne is hereby empowered and authorized to award lessor rights to the most responsive and responsible bidder.

SECTION 5. The Mayor and the Board of Public Works are empowered and authorized to execute, on behalf of the City, leases and other documents as contemplated herein with lessor so selected.

SECTION 6. 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 Taylor, City Attorney

BILL NO. S-09-03-02

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding of EXTENSION OF ITB #1651 - PURCHASE OF 22 MOBILE TACTICAL COMPUTERS by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and OEM MICRO for the THE FORT WAYNE FIRE DEPARTMENT.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That EXTENSION OF ITB #1651 - PURCHASE OF 22 MOBILE TACTICAL COMPUTERS between the City of Fort Wayne, by and through its Department of Purchasing and OEM MICRO for THE FORT WAYNE FIRE DEPARTMENT, respectfully for:

purchase of 22 Mobile Tactical Computers for the Fort Wayne Fire Department

involving a total cost of ONE HUNDRED THIRTY THOUSAND, SEVEN HUNDRED TWENTY-FOUR AND NO/100 DOLLARS - (\$130,724.00) all as more particularly set forth in said EXTENSION OF ITB #1651 - PURCHASE OF 22 MOBILE TACTICAL COMPUTERS which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

BILL NO. S-09-03-08

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving CONSTRUCTION CONTRACT - RESOLUTION #2134-2009, FLOOD CONTROL PROGRAM: PARK-THOMPSON AREA, WORK ORDER #80539 between CROSBY EXCAVATING and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL

OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the CONSTRUCTION CONTRACT - RESOLUTION #2134-2009, FLOOD CONTROL PROGRAM: PARK-THOMPSON AREA, WORK ORDER #80539 by and between CROSBY EXCAVATING and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects, respectfully for:

All labor, insurance, material, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary for
Flood Control Program: Park-Thomspon Area:

involving a total cost of SEVEN HUNDRED FIFTY-TWO THOUSAND, SIX HUNDRED SEVENTY-TWO AND 55/100 DOLLARS - (\$752,672.55). A copy said Contract is on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

BILL NO. S-09-03-09

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving AGREEMENT BETWEEN THE CITY OF FORT WAYNE AND THE ALLEN COUNTY - FORT WAYNE HISTORICAL SOCIETY, in connection with the Board of Public Works.

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

SECTION 1. That the AGREEMENT BETWEEN THE CITY OF FORT WAYNE and THE ALLEN COUNTY - FORT WAYNE HISTORICAL SOCIETY, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects, respectfully for:

Grant Agreement to fund a Fire Suppression System for the Allen County - Fort Wayne Historical Society:

involving a total cost of FORTY-NINE THOUSAND AND NO/100 DOLLARS - (\$49,000.00) - At-Large CREDIT funds; TWENTY-FOUR THOUSAND AND NO/100 DOLLARS - (\$24,000.00) - District 5 CREDIT Funds; TWENTY-FIVE THOUSAND AND NO/100 Dollars - (\$25,000.00) - Community Development Strategic Objective Fund. A copy said Agreement is on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

BILL NO. S-09-03-11

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the Purchase of 250 Dell Desktop Computers by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Experienced Office Solutions.

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

SECTION 1. That the purchase of 250 Dell Desktop computers from and through Experienced Office Solutions for a total of cost to the City of ONE HUNDRED THREE THOUSAND, EIGHTY AND NO/100 DOLLARS – (\$103,080.00) is hereby approved in all respects. That said computers will be used for upgrade and refresh of current City of Fort Wayne, Indiana computer requirements.

SECTION 2. That the City is authorized and directed to take all action necessary for the purchase of these computers by and through Experienced Office Solutions. Said quote is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

BILL NO. S-09-03-03

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding of RFQ #2999 - PURCHASE OF A 48" PLANER by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and SOUTHEASTERN EQUIPMENT for the STREET DEPARTMENT.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That RFQ #2999 - PURCHASE OF A 48" PLANER between the City of Fort Wayne, by and through its Department of Purchasing and SOUTHEASTERN EQUIPMENT for STREET, respectfully for:

purchase of a 48" Cold Road Planer - 200 HP for the Street Department involving a total cost of ONE HUNDRED THIRTEEN THOUSAND, SIX HUNDRED AND NO/100 DOLLARS - (\$113,600.00) all as more particularly set forth in said RFQ #2999 - PURCHASE OF A 48" PLANER which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

