

ORDINANCE NO. 923

AN ORDINANCE APPROVING AGREEMENTS FOR THE CITY'S LEASE AND MANAGEMENT OF A NEW FLEET OF VEHICLES

WHEREAS, the City is authorized by applicable law to acquire equipment for municipal purposes and to enter leases for the same; and

WHEREAS, the City Council has determined that there exists a true and essential need for the purchase of new vehicles for use in the efficient and proper operation of the City government and police department; and

WHEREAS, the City will receive from Enterprise eight new 2023 Chevy vehicles, consisting of one 1500 Regular Cab 4x4 WT with 8' box, one Colorado Extended Cab 4x4 WT, four 4x4 Tahoe Police Vehicles, one 2500HD Double Cab 4x4 WT 8' Box, and one 3500 Double Cab 4x4 WT 8 Box; and

WHEREAS, the City has undertaken the necessary steps and procedures under applicable law, including compliance with any applicable bidding requirements, to arrange for acquisition of the vehicles.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DACONO, COLORADO:

Section 1. The Agreements (defined in Section 2, below) are hereby approved in essentially the same forms as the copies of such Agreements accompanying this Ordinance. Copies of the Agreements and supporting documents have also been deposited with the City Clerk and are available for public inspection.

Section 2. For purposes of this Ordinance, the "Agreements" consist of (1) the Master Equity Lease Agreement between the City and Enterprise FM Trust, (2) the Amendment to Master Equity Lease Agreement between the City and Enterprise FM Trust, (3) the Full Maintenance Agreement between the City and Enterprise Fleet Management, Inc., and (4) the Maintenance Management and Fleet Agreement between the City and Enterprise Fleet Management, Inc.

Section 3. The Mayor, City Clerk, the City Attorney are authorized to execute and deliver on behalf of the City the Agreements, and all other documents necessary to lease the vehicles, and are further authorized to negotiate and approve on behalf of the City such revisions to such documents as the Mayor determines are necessary or desirable for the protection of the City, so long as the essential terms and conditions of such documents are not altered. The maximum total of the City's payment obligations under the Agreements shall not exceed \$170,000 in the first year, and \$116,000 every year thereafter, and the term of the leases as set forth in the Schedules (to be attached to and incorporated into the Master Equity Lease Agreement) shall not exceed five (5) years.

Section 5. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 6. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE AND POSTED IN FULL this 9th day of May, 2022.

PUBLIC HEARING AND SECOND READING WILL BE THE 23rd DAY OF MAY, 2022, AT 6:00 P.M. AT DACONO CITY HALL, 512 CHERRY STREET, DACONO, CO.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE this 23rd day of May, 2022.

CITY OF DACONO, COLORADO

Adam Morehead, Mayor

ATTEST:

Valerie Taylor, City Clerk

Summary of Ordinance No. 923, “AN ORDINANCE APPROVING AGREEMENTS FOR THE CITY’S LEASE AND MANAGEMENT OF A NEW FLEET OF VEHICLES”: Approves four agreements for the City’s lease and maintenance of a new fleet of vehicles, and authorizes the Mayor to sign and deliver the agreements and other necessary documents.”