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B/C

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11051-2018

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE  
AUTHORIZING THE MAYOR TO ENTER INTO A  
CONTRACT FOR THE PURCHASE OF CITY RADIOS AND  
APPURTENANCES, IN ORDER TO REPLACE OBSOLETE RADIOS  
AND UPGRADE THE CITY'S RADIO COMMUNICATIONS SYSTEM,  
WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY

**WHEREAS**, Council by and through Ordinance No.9203-2005 authorized the Mayor to enter into an agreement for the City of Brook Park to join a Southwest Regional Communications Network Council of Governments ("Southwest COG"), in order to foster cooperation between the various cities that are members of such Council of Governments, to establish, own, operate and administer a regional communications network for public safety and public service purposes; and

**WHEREAS**, the member communities of the Southwest COG are now collectively faced with the costly challenge of needing to replace a large number of radios that are obsolete, no longer manufactured, and have no replacement parts that are being made available; and

**WHEREAS**, as a member of the Southwest COG, the City of Brook Park must now participate in replacing and upgrading the City's obsolete mobile radios in order to remain compatible with the Southwest COG system; and

**WHEREAS**, the Ohio Department of Administrative Services awarded a State Term telecommunications contract (Contract No. 573077-0-1, Index No. STS-073) to Motorola Solutions, Inc.; and

**WHEREAS**, in order to ensure continuity and functional interoperability with the existing system, it is critical to replace and upgrade such radios and appurtenances with Motorola radio; and

**WHEREAS**, said vendor has agreed to provide such new radios, and appurtenances to the City at a cost below State Term contract pricing.

**NOW THEREFORE, BE IT ORDAINED**, by the Council of the City of Brook Park, State of Ohio, that:

**SECTION 1:** The Mayor is hereby authorized as set out in Article VII, Section 7.03 of the Charter, that there is an immediate and present emergency in the operation of the City of Brook Park, in that it is immediately necessary to enter into a contract, without public bidding with MOTOROLA SOLUTIONS, INC. for the replacement of obsolete equipment, and purchase of upgraded radios, and appurtenances for the City in order to continue to meet the operational needs of the City on a prompt basis and to ensure the public health and welfare.

**SECTION 2:** The money needed for the reasons aforesaid, this Council approves and authorizes the Mayor to enter into a contract with MOTOROLA SOLUTIONS, INC., without public bidding, in an amount not to exceed \$140,616.37 for the purchase of upgraded radios, and appurtenances, all as more fully set forth in the proposal attached hereto as Exhibit A and incorporated herein by reference, and as to be reflected in a contract to be in a form approved by the Law Director

**SECTION 3:** That the funds for the purpose of this Ordinance have been appropriated and shall be paid from the General Fund No. 401, Capital.

**SECTION 4:** It is found and determined that all formal actions of this Council concerning and relating to the adoption 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 action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 4:** This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason that Council deems it necessary for the Mayor to enter into said agreement without undue delay; therefore provided this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: December 18, 2018

[Signature]  
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak  
Clerk of Council

APPROVED: [Signature]  
MAYOR

12/18/18  
DATE

I HEREBY APPROVE THE WITHIN  
INSTRUMENT AS TO LEGAL FORM  
AND CORRECTNESS

[Signature]  
DIRECTOR OF LAW

CERTIFICATE

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 11051-2018 passed on the 18th day of December 20 18 by said council.  
Michelle Blazak  
Clerk of Council

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.  
commencing December 19, 2018  
Michelle Blazak  
MICHELLE BLAZAK  
Clerk of Council

	Yea	Nay
Stemm	<u>[initials]</u>	_____
Mencini	_____	_____
Orcutt	<u>[initials]</u>	_____
Scott	<u>[initials]</u>	_____
Burgio	<u>[initials]</u>	_____
Poindexter	<u>[initials]</u>	_____
Salvatore	<u>[initials]</u>	_____