

ORDINANCE NO. 15-75

AN ORDINANCE APPROVING A MASTER LEASE AGREEMENT AND PROPERTY SCHEDULE WITH THE BANCORP BANK D/B/A MEARS LEASING TO LEASE FORTY EQUIPPED MARKED POLICE VEHICLES FOR A THREE-YEAR TERM COMMENCING OCTOBER 1, 2015, FOR A TOTAL ANNUAL AMOUNT NOT TO EXCEED \$333,600; WAIVING COMPETITIVE SELECTION REQUIREMENTS OF THE PURCHASING CODE AND MAKING FINDINGS THAT WAIVER IS IN THE BEST INTEREST OF THE CITY; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE MASTER LEASE AGREEMENT AND RELATED DOCUMENTS; AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS FOR EACH LEASE YEAR SUBJECT TO BUDGET AND APPROPRIATION; AUTHORIZING THE CITY MANAGER TO EXERCISE THE OPTION TO PURCHASE VEHICLES AT THE END OF THE LEASE TERM SUBJECT TO BUDGET AND APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Resolution No. 15-18, the City Commission approved the Vehicle Acquisition Program for replacement of Police Department vehicles through a combination of direct purchase, leasing, and lease financing arrangements; and

WHEREAS, one of the strategies proposed for acquisition of needed Police Department vehicles is closed-end leasing with a buyout option; and

WHEREAS, the number of firms willing to lease police vehicles under a closed-end lease and provide the City with a meaningful option to purchase at the end of lease term is very limited; and

WHEREAS, §§ 30-1 and 30-58, City Code, authorize the City Commission to waive competitive selection procedures upon a finding that such waiver is in the City's best interest; and

WHEREAS, to obtain the best price possible, City staff identified prospective car dealers and leasing companies and informally solicited proposals to lease 40 police vehicles; and

WHEREAS, based on a comparison of the proposals received, it is recommended that the City lease 40 police vehicles from The Bancorp Bank, d/b/a Mears Leasing, pursuant to the terms and conditions of a closed-end Master Lease Agreement; and

WHEREAS, the Master Lease Agreement provides for a three-year lease term at an annual lease fee not to exceed a total of \$333,600 and gives the City the option to purchase the leased vehicles at the expiration of the lease term at a cost of \$2,000 each; and

WHEREAS, the Chief of Police recommends approval of the Master Lease Agreement, and that the City Manager be authorized to exercise the City's option to purchase one or more of the vehicles at the end of the lease, subject to budgeting and appropriation; and

WHEREAS, the Chief Financial Officer has filed a Sufficiency of Funds Certificate as to the annual lease fee.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF DAYTONA BEACH, FLORIDA:

SECTION 1. The proposal submitted by The Bancorp Bank d/b/a Mears Leasing to lease to the City 40 equipped marked police vehicles for a three-year term commencing October 1, 2015, for a total annual amount not to exceed \$333,600, including the option to purchase the leased vehicles at the expiration of the lease term at a cost of \$2,000 each, is hereby accepted.


SECTION 2. The Mayor and City Clerk are hereby authorized to execute the Master Lease Agreement and related documents with The Bancorp Bank d/b/a Mears Leasing, a copy of the Agreements in substantially final form being attached hereto and made a part hereof by reference.

SECTION 3. The City Manager is hereby authorized to expend funds for each lease year subject to budget and appropriation.

SECTION 4. The City Manager is hereby authorized to exercise the option to purchase vehicles at the end of the lease term subject to budget and appropriation.

SECTION 5. Pursuant to §§ 30-1 and 30-58, City Code, and based upon the foregoing recitals, the City Commission hereby finds that waiver of the competitive selection procedures provided for in the Purchasing Code and in conflict with the foregoing procedure is in the City's best interests.

SECTION 6. This Ordinance shall take effect immediately upon its adoption.


DERRICK L. HENRY
Mayor

ATTEST:


JENNIFER L. THOMAS
City Clerk

Passed: March 4, 2015
Adopted: March 18, 2015