

5501
1/17/06

(O-2006-70)
(COR.COPY3)

ORDINANCE NUMBER O- 19458 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 23 2006

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY MANAGER OR THE MAYOR, AS APPROPRIATE, TO AWARD A CONTRACT TO MOTOROLA, INC. FOR THE ACQUISITION OF AN 800 MHZ COMMUNICATIONS SYSTEM UPGRADE IN AN AMOUNT NOT TO EXCEED \$15,100,150.09, AND AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE PURCHASE AGREEMENT AND A FIFTH AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND MOTORLOA, INC. AND TO TAKE ALL OTHER ACTIONS NECESSARY OR DESIREABLE THEREWITH

WHEREAS, the City's existing public safety communications systems (the 800 MHz Radio System) were implemented in the late 1980's and early 1990s and these systems were anticipated to have a fifteen-year life cycle; and

WHEREAS, the City has been notified by Motorola, Inc. that parts and equipment for the existing 800 MHz Radio System will only be available until December 2006 and that the time for upgrading this system is twelve to eighteen months, and proactive planning and implementation for system replacement has reached a critical juncture; and

WHEREAS, on March 2, 2005, the office of the Chief Information Officer [CIO] appeared before the Public Safety and Neighborhood Services Committee [Committee] to present and update on the status and implementation of the Public Safety Communications Project and interim steps being taken until funding could be allocated to meet this critical public safety need; and

WHEREAS, the Committee directed the City Manager to implement a contingency plan to upgrade the City's 800 MHz Radio System and other related components to ensure that Police and Fire Rescue Departments continue to be provided with reliable, cost effective wireless communications; and

WHEREAS, the office of the CIO, in partnership with the City Treasurer's Financing Services Division, evaluated two lease financing options (Motorola and City's Equipment and Vehicle Financing Program) to fund this communications system upgrade; and

WHEREAS, the City Treasurer's Financing Services Division determined that the financing terms offered by Motorola are cost effective and that such proposal offers the City more flexibility in terms of execution of the financing; and

WHEREAS, in September 1990, the City of San Diego entered into the original Agreement (RR-276605) [Agreement] with Motorola, Incorporated for the 800 MHz Public Safety Radio Communications System [System] and related infrastructure, and since that time there have been four amendments to the Agreement to provide for the procurement of equipment and services from Motorola, Inc. to support the System and other wireless technologies utilized by the City; and

WHEREAS, it is necessary and desirable that Fifth Amendment to the Agreement specific to the purchase of equipment and services required to provide the City with the 800 MHz communication system upgrade to the System; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the City Manager or the Mayor, as appropriate, or their respective designees, as appropriate, is authorized to award a contract to Motorola, Inc. to provide an

800MHz communications system upgrade; provided however that the City Manager shall not expend a sum greater than \$15,100,150.09 for the acquisition of such system.

Section 2. That the City Manager or the Mayor, as appropriate, or their respective designees, as appropriate, is authorized to finance the purchase of the 800 MHz Communications System Upgrade over a seven-year period under the terms of the Master Lease Purchase Agreement with Motorola, Inc., the form of such document being on file in the office of the City Clerk as Document No. 00 - 19458 -/, and the City Manager or the Mayor, as appropriate, or their respective designees, as appropriate, is authorized and directed to make such changes and modifications to the Master Lease Purchase Agreement, in consultation with the City Attorney, that are necessary or desirable and in the best interest of the City in order to secure financing for the communication system upgrade.

Section 3. That the City Manager or the Mayor, as appropriate, or their respective designees, as appropriate, is authorized to execute the Fifth Amendment to the Agreement between the City of San Diego and Motorola, Inc. (Contract RR-276605) on file in the office of the City Clerk as Document No. 00 - 19458 -2 and that the City Manager or the Mayor, as appropriate, or their respective designees, as appropriate, is authorized and directed to make such changes and modifications to such Fifth Amendment, in consultation with the City Attorney, that are necessary or desirable and in the best interest of the City in order to procure the communication system upgrade.

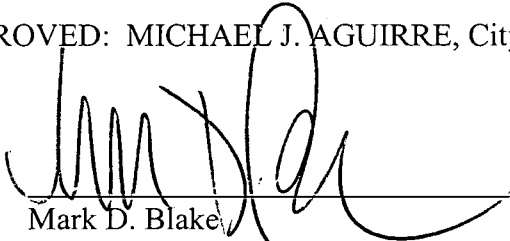
Section 4. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

0-19458

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Mark D. Blake,
Deputy City Attorney

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11/25/05 COR.COPY
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01/17/06 COR.COPY3
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I hereby certify that the foregoing ordinance was passed by the Council of the city of San Diego at its meeting of JAN 17 2006.

ELIZABETH S. MALAND
City Clerk

By: 
Deputy City Clerk

Approved: 1-23-06
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

0-19458