

ORDINANCE NO. 2008-2009 B

An ordinance amending the 2008-2009 Fiscal Year Budget of the City of Victoria by transferring \$150,000.00 from the General Fund fund balance to the General Fund Police Department Construction capital line item, and authorizing the City Manager to execute contracts with Motorola, Inc. to provide for purchase and installation of a TRAK-GPS replacement geographic positioning system tower synchronization unit and provide for an engineering assessment of the City's radio system to provide a transition proposal for a replacement radio system (required by 2012); repealing all conflicting ordinances, providing for severability, declaring an emergency, and declaring an effective date.

The City Council finds that the procurement of a TRAK-GPS replacement geographic positioning system is a procurement necessary to protect the health and safety of the residents of the City of Victoria, is necessary because of unforeseen damage to public property, and is available only from Motorola, Inc. because it is a captive replacement component for the City's Motorola radio equipment, and is therefore exempted from competitive bidding requirements pursuant to Tex. Local Gov't Code § 252.022.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

The Fiscal Year 2008-2009 Budget of the City of Victoria is amended by transferring **\$150,000.00** from the General Fund fund balance (0001-300100) to the General Fund Police Department Construction capital line item (0001-01POL-970030), for the purchase and installation of a TRAK-GPS replacement geographic positioning system tower synchronization unit and for an engineering assessment of the City's radio system to provide a transition proposal for a replacement radio system (required by 2012).

2.

The City Manager is authorized to execute all documents necessary to provide for the purchase and installation of a TRAK-GPS replacement geographic positioning system tower synchronization unit in accordance with the **Quote** attached hereto and provide for an engineering assessment of the City's radio system to provide a transition proposal for a replacement radio system (required by 2012), with such documents to be in the form approved by the City Attorney.

3.

If any provision of this ordinance, or the application thereof to any person or circumstance, shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

4.

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

5.

In accordance with Article V, Section 5 of the Charter of the City of Victoria, the City Council finds a grave public necessity exists to amend the original budget to authorize the aforementioned expenditures to meet unusual and unforeseen conditions involving funding of the purchase and installation of a TRAK-GPS replacement geographic positioning system tower synchronization unit and for an engineering assessment of the City's radio system to provide a transition proposal for a replacement radio system (required by 2012), which could not by reasonable diligence, thought and attention have been included in the original budget.

6.

In order to provide funding for the purchase and installation of a TRAK-GPS replacement geographic positioning system tower synchronization unit, which is being authorized contemporaneously with this ordinance, an emergency is declared, and the requirement of Article II, Section 9 of the Victoria City Charter that no ordinance shall be passed on the date of its first reading is hereby suspended, and this ordinance shall become effective immediately upon passage by this City Council.

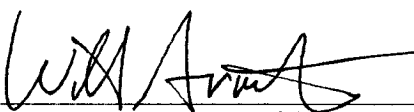
PASSED EMERGENCY READING, this 18th day of November, 2008.

AYES: **7**

NAYS: **0**

ABSTENTIONS: **0**

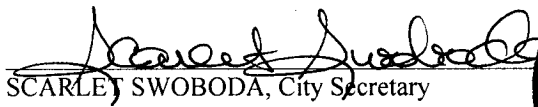
APPROVED AND ADOPTED, this the 18th day of November, 2008.



WILL ARMSTRONG, Mayor of the
City of Victoria, Texas

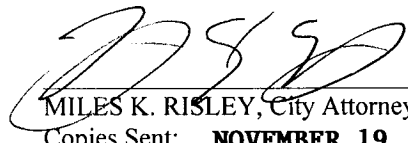
ATTEST:

APPROVED AS TO LEGAL FORM:



SCARLEY SWOBODA, City Secretary
Distribution: Finance Department
Police Department
Legal Department





MILES K. RISLEY, City Attorney

Copies Sent: **NOVEMBER 19, 2008**



Customer Special Quotation
 Prepared By: Chuck Garrett

Chuck Garrett
 209 Cypress Point
 Portland, TX 78374

Phone: 361 563-0022
 Fax: 800 423 2831

Date: 10/27/2008
 Quote #:
 CUSTOMER #:

PREPARED FOR : City Of Victoria Police Department
 COMPANY :
 PHONE :
 FAX :
 Bill To See PO Ship to
 Address: Address:

Product:

Site	Qty.	Description	Model	APC	Unit Price	Total Price
1	1	PRIME/MASTER SITE CONFIG AC POWER	DSTRAK91008	207	\$34,712.00	\$ 34,712.00
1	1	DISTRIBUTION SHELF CONFIG AC POWER	DSTRAK92003	207	\$12,296.00	\$ 12,296.00
1	2	FOUR PORT DDM	DSTRAK91061	207	\$688.00	\$ 1,376.00
				207		\$ -
2	1	PRIME/MASTER SITE CONFIG AC POWER	DSTRAK91008	207	\$34,712.00	\$ 34,712.00
2	1	DISTRIBUTION SHELF CONFIG AC POWER	DSTRAK92003	207	\$12,296.00	\$ 12,296.00
2	2	FOUR PORT DDM	DSTRAK91061	207	\$688.00	\$ 1,376.00
3	1	MSS/FSO Installation & Optimization			\$ 32,416.00	\$ 32,416.00
4	1	Shipping			\$ 774.00	\$ 774.00
					TOTAL	\$ 129,958.00

Order **MUST** be received no later than 12-01-08