



1       **Section 2.** The City Manager is hereby authorized to dispense with competitive bidding and to enter  
2 into a sole-source contract with UPN for the purchase of equipment and services for the City to connect  
3 to a fiber-based telecommunications network owned by UPN in an amount not to exceed Eighty-Seven  
4 Thousand, Nine Hundred Forty-Five Dollars (\$87,945.00), plus taxes and fees, for the lateral installation  
5 of this service. There will be an annual maintenance fee of Nine Hundred Dollars (\$900.00), with a 3%  
6 cost of living increase annually for the life of the City’s franchise agreement with UPN, in an amount not  
7 to exceed Ten Thousand, Three Hundred Seventeen and 49/100 Dollars (\$10,317.49), plus any  
8 applicable taxes and fees, for the ten (10)-year term.

9       **Section 3.** Funding for the purchase of equipment and services is available from the Information  
10 Technology Department’s portion of the 3/8-Cent Capital Sales Tax. Funding for the annual maintenance  
11 fee is available from the Information Technology Department’s Annual Operating Budget 103030-61340.

12       **Section 4. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or  
13 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or  
14 adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and  
15 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the  
16 ordinance.

17       **Section 5. Repealer.** All ordinances and resolutions, and parts thereof, which are in conflict with  
18 any provision of this ordinance are hereby repealed to the extent of such conflict.

19       **Section 6. Emergency Clause.** *The ability to link various City facilities, including but not limited*  
20 *to public safety facilities, by fiber optics is necessary for more efficient communications and the sharing*  
21 *of data, and therefore is essential to the public health, safety and welfare; an emergency is, therefore,*  
22 *declared to exist and this ordinance shall be in full force and effect from and after its passage.*

23 **ADOPTED: September 1, 2015**

24 **ATTEST:**

**APPROVED:**

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26 \_\_\_\_\_  
27 **Susan Langley, City Clerk**

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28 **APPROVED AS TO LEGAL FORM:**

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31 **Thomas M. Carpenter, City Attorney**

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