

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

NOVEMBER 28, 2011

PRESENT

*Council President Terry E. Cohen
Councilwoman Laura Mitchell*

*Council Vice President Deborah S. Campbell
Councilwoman Eugenie P. Shields
Councilman Timothy K. Spies*

ABSENT

Mayor James Ireton, Jr.

IN ATTENDANCE

City Clerk Brenda Colegrove, MMC, City Administrator John Pick, ICMA-CM, Assistant City Administrator Loré Chambers, City Attorney Paul Wilber, Police Chief Barbara Duncan, Acting Internal Services Director Gerri Moore, Fire Chief Jeff Simpson, Neighborhood Services and Code Compliance Director Tom Stevenson, and interested Citizens and Members of the Press.

MEDITATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:00 p.m. in Council Chambers. Council President Cohen called the meeting to order. A moment of silent meditation was held followed by the Pledge of Allegiance.

PROCLAMATION – presented by City Administrator John Pick.

Ms. Maureen McNeill accepted a proclamation proclaiming November, 2011 as “Hospice and Palliative Care Month” in the City of Salisbury.

ADOPTION OF LEGISLATIVE AGENDA

Mr. Spies moved and Mrs. Campbell seconded to adopt the legislative agenda as presented. Mrs. Mitchell moved to add a Resolution to the agenda (following the Consent Agenda) to place a non-binding referendum question on the ballot. Council President Cohen pointed out that the Council’s rules (Section 4F) do not allow an item to be added to the agenda unless it is an urgent or emergency matter. City Attorney Paul Wilber opined that it was not a time sensitive issue. The item will be placed on the December 5, 2011 work session agenda for discussion.

The legislative agenda, as presented, was adopted on a 3-2 vote. Mrs. Campbell, Ms. Cohen and Mr. Spies voted aye. Mrs. Mitchell and Mrs. Shields voted nay.

CONSENT AGENDA – presented by City Clerk Brenda Colegrove

The Consent Agenda, consisting of the following items, was unanimously approved on a motion by Mrs. Campbell and seconded by Mr. Spies:

- November 7, 2011 work session minutes
- November 9, 2011 special meeting minutes
- November 9, 2011 work session minutes
- November 14, 2011 regular meeting minutes
- November 14, 2011 work session minutes

ORDINANCES – presented by City Attorney Paul Wilber

- Ordinance No. 2178 - 2nd reading - approving a budget amendment (\$14,550.00) of the FY12 General Fund to appropriate the funds received from the Local Government Insurance Trust for two emergency police vehicles which were involved in accidents and deemed a total loss with the intention of arranging a lease/purchase of two new vehicles

Mr. Spies moved and Mrs. Campbell seconded to approve Ordinance No. 2178 for second reading. The following amendments were unanimously approved:

- 1) Motion by Mrs. Shields and seconded by Mrs. Mitchell to amend the last line of the title to read “arranging a lease/purchase of one new vehicle and purchase of a second vehicle” and the last line in the 5th Whereas clause to read “to lease/purchase one new police vehicle and purchase a second vehicle.”
- 2) Motion by Mr. Spies and seconded by Mrs. Campbell to amend the title and the 5th Whereas clause to change “lease/purchase.” to “lease-purchase” in the last line of each.

Ordinance No. 2178 for second reading, as amended, passed unanimously.

- Ordinance No. 2179 - 2nd reading - approving FY12 budget amendment (\$50,000.00) to address an anticipated shortfall in the grass cutting and rubbish removal accounts

Ordinance No. 2179 for second reading passed unanimously on a motion by Mr. Spies and seconded by Mrs. Mitchell.

- Ordinance No. 2180 - 2nd reading - approving FY12 budget amendment (\$8,357.13) to accept and appropriate additional funds associated with providing medical/physical screening for the volunteer members of the Fire Department

On a motion and a second by Mrs. Mitchell and Mrs. Shields, respectively, Ordinance No. 2180 for second reading passed unanimously.

- Ordinance No. 2181 - 2nd reading - authorizing the refunding of the 1994 Bonds, the 1999 Bond, the 2001 CDA Bonds and the 2003 CDA Bonds

Ordinance No. 2181 for second reading passed unanimously on a motion by Mrs. Campbell and seconded by Mr. Spies.

AWARD OF BIDS – presented by Assistant Internal Services Director-Procurement Catrice Parsons

The following items were unanimously awarded on a motion by Mr. Spies and seconded by Mrs. Campbell:

- *Declaration of surplus – service handgun* -0-
- *EMS billing RFP 02-12* 5.85%
EMS/MC
- *Amendment to Financial Lease Contract RFP 01-12* \$179,779.31
Capital One
Acct. Nos. 21021-558600 (police vehicle) and 31150-558600 (front-end loader)

RESOLUTIONS – presented by City Administrator John Pick

- Resolution No. 2116 – approving the calculation of maximum permitted rates for limited, basic service and regulated equipment rates and installation charges as set forth in Comcast’s rate filing (Form 1240 and Form 1205) dated September 30, 2011

On a motion by Mrs. Mitchell and seconded by Mrs. Campbell, Resolution No. 2116 passed unanimously.

- Resolution No. 2119 – setting the terms and conditions for the refunding of the 1994 Bonds, the 1999 Bond, the 2001 CDA Bonds and the 2003 CDA Bonds

Mrs. Campbell moved and Mr. Spies seconded to approve Resolution No. 2119. Mrs. Campbell moved to amend Resolution No. 2119 so that the language of “Acting Director of Internal Services” is consistent throughout the document. Mrs. Shields seconded and the amendment passed unanimously. Resolution No. 2119, as amended, passed unanimously.

- Resolution No. 2120 – authorizing the refunding savings from the refunding bonds to be taken primarily in the first year after the refunding

Mr. Spies moved and Mrs. Campbell seconded to approve Resolution No. 2120. The following amendments were unanimously approved:

- 1) *Motion by Mrs. Campbell and seconded by Mrs. Mitchell to amend the Now, Therefore, Be It Resolved paragraph by striking "primarily in the first year" and inserting "annually over the term of the bonds"*
- 2) *Motion by Mrs. Mitchell and seconded by Mrs. Campbell to amend the Now, Therefore, Be It Resolved paragraph by inserting ", Refunding of Various Outstanding Bonds November 21, 2011 [Based on SunTrust's Proposal] Level Debt Service Savings" at the end of the paragraph*
- 3) *Motion by Mr. Spies and seconded by Mrs. Campbell to amend the title by striking "primarily in the first year" and inserting "annually over the term of the bonds"*
- 4) *Motion by Mrs. Campbell and seconded by Mrs. Shields to amend the 2nd Whereas paragraph by striking "upfront in the first year of the new bond" and inserting "annually over the term of the bonds"*

Resolution No. 2120, as amended, passed unanimously.

- *Resolution No. 2121 – authorizing submitting a request to Wicomico County for a tax differential*

Resolution No. 2121 passed unanimously, with an editorial correction in the title (correcting "differential"), on a motion by Mr. Spies and seconded by Mrs. Mitchell.

- *Resolution No. 2122 – accepting donation of an emergency response vehicle and compressor unit from Salisbury Fire Department, Inc., Company No. 16*

Mrs. Shields moved and Mrs. Mitchell seconded to approve Resolution No. 2122. Mrs. Campbell moved to remove the language relating to the emergency response vehicle for discussion at a work session. The motion died for lack of a second. Resolution No. 2122 passed unanimously.

RECESS

The Council recessed at 7:45 p.m. and reconvened at 7:55 p.m.

PUBLIC COMMENTS

Eleven citizens commented on the following issues:

- *update of City Code in the Library*
- *publication of notices*
- *no provision for Assistant City Administrator in the Code*
- *bond refunding*
- *demolition of Feldman's Building*
- *front-end loader*

- petition efforts regarding Charter Amendment Resolution No. 2109
- safety downtown
- gift from Fire Department volunteers
- requiring attendees to sit in chairs during Council meetings
- sign permits

ADJOURNMENT

The meeting adjourned at 8:40 p.m.

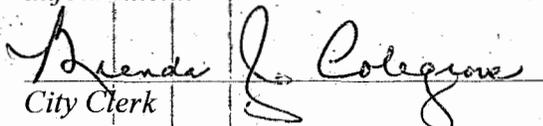
CITY OF SALISBURY, MARYLAND
CLOSED SESSION
NOVEMBER 28, 2011

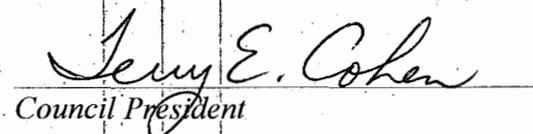
TIME & PLACE: 1:00 p.m., Government Office Building – Conference Room 306
 PURPOSE: Consult with city attorney/staff on pending litigation
 VOTE TO CLOSE: Unanimous
 CITATION: Annotated Code of Maryland Sections 10-508(a)(7)(8)
 PRESENT: Council President Terry E. Cohen, Council Vice President Deborah S. Campbell, Councilwoman Laura Mitchell (arrived 1:03 p.m.), Councilman Timothy K. Spies, City Clerk Brenda J. Colegrove, Assistant City Administrator Loré Chambers, City Attorney Paul Wilber, Attorney Howard Goldberg, Public Works Director Teresa Gardner, Dale Pusey
 ABSENT: Councilwoman Eugenie P. Shields

The Council convened in open session at 1:00 p.m. in Conference Room 306 of the Government Office Building. Mrs. Campbell moved to convene in closed session to consult with legal counsel and staff on pending litigation pertaining to the Wastewater Treatment Plant (WWTP) as permitted under the Annotated Code of Maryland Sections 10-508(a)(7)(8). Mr. Spies seconded and the vote was unanimous. Mrs. Mitchell arrived after the vote to close was taken.

Mr. Goldberg provided a status report on the litigation to date. There was unanimous consensus to advance an ordinance to legislative session for consideration.

On a motion by Mr. Spies, seconded by Mrs. Campbell, and by unanimous vote, the Council adjourned the closed session at 1:50 p.m. and returned to open session for subsequent adjournment.


City Clerk


Council President

STATEMENT FOR CLOSING A MEETING

Location: Room 306-G.03

Date: 11-28-11

Time: 1pm

Motion: Mrs. Campbell

Seconded By: Mr. Spies

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
Deborah S. Campbell	{ <input checked="" type="checkbox"/>	{ }	{ }	{ }
Terry E. Cohen	{ <input checked="" type="checkbox"/>	{ }	{ }	{ }
Laura Mitchell - entered 1:03pm	{ }	{ }	{ }	{ <input checked="" type="checkbox"/>
Eugenie P. Shields	{ <input checked="" type="checkbox"/>	{ }	{ }	{ <input checked="" type="checkbox"/>
Timothy K. Spies	{ <input checked="" type="checkbox"/>	{ }	{ }	{ }

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

- (1) To discuss:
 - { (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
 - { (ii) Any other personnel matter that affects one or more specific individuals.
- (2) {} To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- (3) {} To consider the acquisition of real property for a public purpose and matters directly related thereto.
- (4) {} To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
- (5) {} To consider the investment of public funds.
- (6) {} To consider the marketing of public services.
- (7) To consult with counsel to obtain legal advice on a legal matter.
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation.
- (9) {} To conduct collective bargaining negotiations or consider matters that relate to the negotiations.

- (10) {} To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
 - (i) the deployment of fire and police services and staff; and
 - (ii) the development and implementation of emergency plans.
- (11) {} To prepare, administer or grade a scholastic, licensing, or qualifying examination.
- (12) {} To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13) {} To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
- (14) {} Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

TOPICS TO BE DISCUSSED:

Pending litigation - WWTP

REASON FOR CLOSING:

Consult with city attorney & staff

Terry E. Cohen
 Terry E. Cohen
 Council President
 City of Salisbury

City of Salisbury



MARYLAND

JAMES IRETON, JR.
MAYOR

JOHN R. PICK
CITY ADMINISTRATOR

LORÉ L. CHAMBERS
ASSISTANT CITY ADMINISTRATOR

Salisbury



2010

125 NORTH DIVISION STREET
SALISBURY, MARYLAND 21801

Tel: 410-548-3190

Fax: 410-548-3192

GERRI L. MOORE
ACTING DIRECTOR OF INTERNAL
SERVICES
PROCUREMENT DIVISION

COUNCIL AGENDA

November 28, 2011

- | | | |
|----|---|--------------|
| 1. | Declaration of Surplus-Service Handgun | \$0.00 |
| 2. | Award of EMS Billing RFP 02-12 | \$0.00 |
| 3. | Amendment to Financial Lease Contract RFP 01-12 | \$179,779.31 |

City of Salisbury



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ASSISTANT CITY ADMINISTRATOR

COUNCIL AGENDA

November 28, 2011

To: Mayor and City Council

Subject: Surplus Items-Service Handguns

The City of Salisbury Internal Services Department-Procurement Division received a request from the Salisbury Police Department to declare the following handgun surplus:

Department	Make	Model	Serial #
Police Department	Glock	21-45 caliber handgun	WG621

Upon declaration of surplus, and as approved by the Council, the aforementioned handgun will be given to the retired police officer, Vic Keen. Additional details are noted in the department memo.

Thank You,

CP - Gerri Moore

Catrice L. Parsons

Assistant Director Internal Services-Procurement and Parking

City of Salisbury



147th

POLICE DEPARTMENT

BARBARA DUNCAN

Chief of Police



45th

699 W. SALISBURY PARKWAY
SALISBURY, MARYLAND 21801

410-548-3165

October 31, 2011

TO: Catrice Parsons
Assistant Director Internal Services - Procurement

FROM: PFC Danny Parsons
Quartermaster – Salisbury Police Department

SUBJECT: INVENTORY (WEAPONS)

The Salisbury Police Department has a history of giving retiring Police Officers their duty weapon as a retirement gift. With Chief Duncan's approval, I am requesting the Salisbury City Council declare as surplus, one Glock, Model 21, 45 caliber handgun with a serial number of WG621. This weapon will be given to Police Officer First Class Vic Keen. Police Officer First Class Keen retired in October 2011.

Respectfully Submitted,

PFC Danny Parsons 0194

Quartermaster

Salisbury Police Department

City of Salisbury



MARYLAND COUNCIL AGENDA

Salisbury



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ASSISTANT CITY ADMINISTRATOR

November 28, 2011

TO: Mayor and City Council

SUBJECT: Recommendation of Award for RFP 02-12

EMS Billing Service

The City of Salisbury Internal Services Department-Procurement Division, received a request from the Salisbury Fire Department ("SFD") to solicit bids for EMS Billing Services.

Under RFP 02-12, the Procurement Division requested bids for this project. The Procurement Division followed standard bid practices by advertising in the Daily Times, on the City of Salisbury's website, utilizing the City's vendor list, and advertising on the State of Maryland's website; eMaryland Marketplace. A total of fourteen (14) vendors were sent bid packages with fourteen (14) vendors submitting a bid by the due date and time, August 30, 2011 at 2:30 p.m., ranging from a ranking score of 1.9 to a high of 3.675.

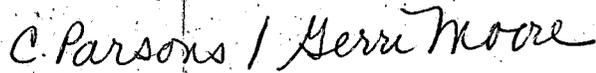
• EMS/ MC	3.675
• LifeQuest	3.6625
• Cornerstone	2.8
• Intermedix	2.725
• Med3000	2.65
• RMK Holdings	2.6
• EMS Billing Solutions	2.6
• Ambulance Billing Experts	2.3
• DMMS LLC	2.2
• Enhanced Management Services	2.0875
• Medical Claim-aid	2.05
• Certified Ambulance Group	2

- Medicount Management 2
- Fidelis EMS Billing 1.9

The SFD has reviewed the bids in accordance with the contract documents, reviewed references, and the ranking matrix and has chosen to award the project to EMS/MC, who has the highest ranking according to the ranking matrix, as listed above.

After review of the submitted bids, the Department of Internal Services-Procurement Division requests Council's approval to accept the bid as noted above from EMS/MC. Additional details are noted in the department memo.

Thank you,



Catrice L. Parsons

Assistant Director of Internal Services-Procurement & Parking

JAMES IRETON, JR.
MAYOR

JOHN R. PICK
CITY ADMINISTRATOR

LORE L. CHAMBERS
ASSISTANT CITY ADMINISTRATOR

JEFF SIMPSON
FIRE CHIEF

City of Salisbury



MARYLAND

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Fax: 410-548-3102



To: Catrice Parsons Assistant Director of Internal Services-Procurement Division
From: Chief Jeff Simpson, Salisbury Fire Department
Subject: Recommendation of Bid Award for RFP No. 02-12 EMS Billing Services
Date: November 04, 2011

Bids were opened on Tuesday, August 30 at 2:30 P.M. for RFP No. 02-12 "EMS Billing Services". The Salisbury Fire Department ("SFD") received fourteen (14) responses to this RFP. The SFD has viewed the bids in accordance with the contract documents, reviewed references, and the ranking matrix.

EMS/MC has offered the City of Salisbury ("City") an attractive rate of 5.85% compared to current billing provider who is charging a rate of 8%. EMS/MC offers the City a more efficient electronic reporting structure, greater success in claims collection, and improved patient/customer interaction.

A thorough evaluation of all the RFP respondents by a four member committee from the SFD was conducted in September against a total of 32 measurement criteria. The top four respondents were invited back to Salisbury to make a final presentation to the SFD and Internal Services. The results of this comprehensive review are shown below.

• EMS/ MC	3.675
• LifeQuest	3.6625
• Cornerstone	2.8
• Intermedix	2.725
• Med3000	2.65
• RMK Holdings	2.6
• EMS Billing Solutions	2.6
• Ambulance Billing Experts	2.3
• DMMS LLC	2.2
• Enhanced Management Services	2.0875
• Medical Claim-aid	2.05
• Certified Ambulance Group	2
• Medicount Management	2
• Fidelis EMS Billing	1.9

This is an Intra Department and Confidential Communication

JAMES IRETON, JR.
MAYOR

JOHN R. PICK
CITY ADMINISTRATOR

LORE L. CHAMBERS
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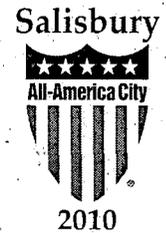
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FIRE CHIEF

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The SFD is requesting Council's approval to award RFP No. 02-12 to EMS/MC who has the highest ranking according to the ranking matrix, as listed above.

The following is a list of the factors taken into consideration in making the recommendation to award this contract to EMS/MC.

RFP No. 02-12 Award of Bid Justification to EMS/ MC

- ❖ Flat fee based schedule with no additional charges
- ❖ Comprehensive reports available in real-time via secure web portal
- ❖ Toll Free patient phone line
- ❖ Extended hours of operation at the call center – live person available in customer service
- ❖ North Carolina based company provides same hemisphere support location
- ❖ Quality Assurance checks occurring daily and at each processing checkpoint
- ❖ Complaint process in place to resolve customer issues
- ❖ Transition training provided to the City of Salisbury
- ❖ Improved collection rate vs. current provider
- ❖ Client services dedicated to the City of Salisbury
- ❖ All references provided excellent feedback and insight on other industry providers that fell short. Some of these providers submitted RFP responses.
- ❖ Healthcare Compliance with audits in place
- ❖ Business Systems are certified
- ❖ Dedicated patient web-site provided
- ❖ Customer survey offered
- ❖ Company in business since 1996. Officers have 31 years of industry experience
- ❖ Lockbox capable for electronic payment directly to City of Salisbury Internal Services account
- ❖ Certified to do business in Maryland
- ❖ Hardship policy available for prolonged collections payment plan
- ❖ Report portfolio is comprehensive
- ❖ Alternative revenue solutions offered
- ❖ Medicare collections experts available to fast-track reimbursement amounts

This is an Intra Department and Confidential Communication

JAMES IRETON, JR.
MAYOR

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FIRE CHIEF

City of Salisbury



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Salisbury



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Jeff Simpson

Jeff Simpson, Chief of the Department

City of Salisbury



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MARYLAND COUNCIL AGENDA

November 28, 2011

To: Mayor and City Council

Subject: Amendment to Financial Lease Contract RFP 01-12 for one (1) police vehicles and one (1) front end loader

On August 22, 2011 Council approved the award of RFP 01-12 Financial Lease with Capital One Public Financing in the amount of \$631,275.00. This lease agreement is for various items, as approved in the FY2012 budget. As a result of two (2) police vehicles being declared totaled by the City's insurance agent and one (1) front end loader becoming obsolete Procurement received a request from the Salisbury Police Department ("SPD") and Public Works ("PW"), respectively, to amend the financial lease agreement to include the lease purchase of the aforementioned items; the details of the lease purchase are below.

Account	Department	Description	Item \$	Lease Period	Rate
21021-558600	Police Department	One (1) Vehicles	\$16,633.08	4 years	2.65%
31150-558600	Public Works	Loader	\$163,146.23	7 years	2.93%

Previously, the Police Department planned to lease purchase two vehicles, however upon further consideration, it was determined that it would be preferable to purchase one vehicle using the insurance proceeds and to lease purchase the other vehicle.

The Department of Internal Services-Procurement Division requests Council's approval to amend the Financial Lease Contract RFP 01-12 to include the one (1) police vehicles and one (1) front end loader. There are sufficient funds in account numbers 21021-558600 *Police New Lease* and 31150-558600 *Streets New Lease* to pay the first year of lease payments. Additional details are noted in the department memo.

Thank You,

C.P. Gerri Moore

Catrice L. Parsons

Assistant Director Internal Services-Procurement and Parking

City of Salisbury



MARYLAND

Salisbury



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GERRI L. MOORE
ACTING DIRECTOR OF INTERNAL
SERVICES
PROCUREMENT DIVISION

COUNCIL AGENDA

November 28, 2011

TO: Mayor and City Council

SUBJECT: Recommendation of Award

Contract # RFP 01-12 Financial Lease Services Amendment

The City of Salisbury Internal Services had a request from the Salisbury Public Works Department and Salisbury Police Department to obtain lease services for the leasing of one (1) police car, and a Front End Loader. The City received approved by Council through Ordinance 2177 and Ordinance 2178 in November 2011 to lease purchase said vehicles.

Under Contract # RFP 01-12, the Finance Division requested amendments to our current Capital lease for the following equipment:

Item	Lease Period/ Rate	Total Costs
Police Vehicles (1)	4 Year Lease (2.65%)	\$16,633.08
Front End Loader	7 Year Lease (2.93%)	\$163,146.23
		Total \$179,779.31

There are sufficient funds in the appropriate department budgets to pay the first year of lease payments. (21021-558600 Police New Lease & 31150-558600 Streets New Lease)

Thank you,

Gerri L. Moore

Director of Internal Services