

ORDINANCE NO. 181

AN ORDINANCE AMENDING ORDINANCE NO. 179 WHICH AUTHORIZED THE TOWN OF MEAD TO ENTER INTO AN AGREEMENT WITH COLORADO PUBLIC LEASING PROGRAM FOR THE LEASE-PURCHASE OF CERTAIN PUBLIC WORKS MAINTENANCE EQUIPMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the Town adopted Ordinance No. 179, which authorized the acquisition of certain equipment for its governmental and proprietary purposes under the provisions of a long term rental or leasehold agreement with an option to purchase such property; and

WHEREAS, Ordinance No. 179 incorrectly identified Colorado Public Leasing Program as the Lessor instead of the Town of Avon, Colorado; and

WHEREAS, Ordinance No. 179 specified certain tentative terms, lease rates, and interest to be charged under the agreement, which must now be changed to reflect the actual terms, lease rates and interest charges appearing in the final agreement submitted for signature; and

WHEREAS, it is necessary that this amendment become effective immediately in order for the Town to avoid additional interest costs charged by the sellers on the equipment.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD:

Section 1. Ordinance 179 is hereby amended to read as follows:

"Section 1. That the Mayor and Town Clerk be, and they hereby are, authorized to execute an Intergovernmental agreement with the Town of Avon, Colorado for the lease purchase of the following public works maintenance equipment:

Champion D740 Motor Grader, s/n 740-24-231-10999, currently owned by Tri County Parts & Equipment, LTD., 12750 Weld County Road 4, Brighton, Colorado 80601, at a purchase price of \$14,500.00.

1979 S-1854 International Dump Truck, M.V.I. # AA185JHA26854, currently owned by Dalton Truck Sales, Inc., 10725 I-25 Access Road, Longmont, Colorado 80501, at a purchase price of \$11,025.00.

1979 410D John Deere Tractor and Backhoe, serial # D330968T, currently owned by Longmont Auto Sales, 127 S. Main, Longmont, Colorado 80501, at a purchase price of \$15,500.00.

Section 2. That said lease purchase agreement shall commence upon execution of the lease agreement and shall extend for a period of four years unless terminated by the Town in writing prior to the end of the original term.

Section 3. That said lease purchase agreement shall specify that there is no obligation on the part of the Town of Mead to purchase the motor vehicle if the lease is terminated.

Section 4. That lease payments under such lease shall be paid in equal quarterly installments of \$ 3,049.68, which includes interest at a net interest rate of 8.35% on the lease amount, due on the 20th of the first month in each quarter. The option to purchase the motor vehicle shall be exercised by the Town at the end of the term, for a purchase price of \$ 418.62 (1% of amount financed).

Section 5. That nothing contained in the lease option agreement or herein shall be deemed to constitute a pledge of the funds, monies or credits of the Town except as funds of the Town may be appropriated in any fiscal year to any payment of rentals under such lease purchase agreement.

Section 6. Necessity. In the opinion of the Board of Trustees of the Town of Mead, this lease purchase is necessary to provide public works maintenance equipment for the maintenance of Town roads and water facilities.

Section 7. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours."

Section 2. Emergency. In the opinion of the Board of Trustees of the Town of Mead, immediate passage of this ordinance is necessary in order for the Town to take advantage of the new favorable terms and to avoid additional interest costs charged by the sellers on the equipment.

Section 3. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

PASSED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD AND ORDERED PUBLISHED THIS 27th DAY OF November, 1989, AND ORDERED TO BECOME EFFECTIVE IMMEDIATELY UPON ADOPTION.

PUBLISHED IN FULL IN "THE LONGMONT TIMES-CALL" ON THE 7TH DAY OF December, 1989

Harvey O. Potts  
MAYOR  
TOWN OF MEAD

ATTEST:  
[Signature]  
Town Clerk