

**ORDINANCE NO. 23-226**

**AN ORDINANCE AUTHORIZING AND DIRECTING PAYMENT TO FOXSTER OPCO, LLC D.B.A. CTS SOFTWARE OF KNOXVILLE, TENNESSEE, FOR THE TRIPMASTER DISPATCHING SOFTWARE LICENSING & MAINTENANCE SUPPORT FOR THE SANDUSKY TRANSIT SYSTEM FOR THE PERIOD OF NOVEMBER 1, 2023, THROUGH OCTOBER 31, 2024; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City Commission authorized the City Manager to enter into a Software License and Services Agreements with Foxster Solutions, Inc., DBA CTS Software of Swansboro, North Carolina, for scheduling and dispatching software and services for use by the Sandusky Transit System by Ordinance No. 18-104, passed on May 14, 2018; and

**WHEREAS**, the agreement with Foxster Opco, LLC, dba CTS Software was effective February 6, 2018, for an initial term of five (5) years with five (5) one (1) year extensions and will be renewed automatically on an annual basis unless otherwise terminated; and

**WHEREAS**, the total cost of the annual licensing and maintenance support for the period of November 1, 2023, through October 31, 2024, is \$24,720.00, which includes an annual discount of \$1,800.00 pursuant to the original agreement, and these fees will be paid with Transit funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately make payment to Foxster Solutions, Inc., DBA CTS Software to continue with licensing and maintenance support services; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Sandusky Transit System, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission hereby authorizes and directs the City Manager and/or Finance Director to make payment to Foxster Solutions, Inc., DBA CTS Software of Knoxville, Tennessee, for the licensing and maintenance support for the Sandusky Transit System's TripMaster dispatching software for the period of November 1, 2023, through October 31, 2024, in an amount **not to exceed** Twenty-Four Thousand Seventy Hundred Twenty and 00/100 Dollars (\$24,720.00).

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction,

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such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.



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RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION



ATTEST:

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CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: November 27, 2023