

March 15, 2023

**To:** Mayor and Members of City Council

**From:** Sheryl M. M. Long, City Manager *SM* 202300832

**Subject:** **Emergency Ordinance – Cincinnati Fire Department: Moral Obligation Payment to Axon Enterprise**

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Attached is an Emergency Ordinance captioned:

**AUTHORIZING** the payment of \$2,723.96 from Cincinnati Fire Department General Fund non-personnel operating budget account no. 050x272x3300x7299 as a moral obligation to Axon Enterprise for TASERS and holsters for the Fire Investigation Unit, which represents the balance due to Axon based on Axon's original invoice of \$5,232.96 less the City's payment of \$2,500 with a purchase card.

Approval of this Emergency Ordinance will authorize the payment \$2,723.96 from Cincinnati Fire Department non-personnel operating budget account no. 050x272x3300x7299 as a moral obligation to Axon Enterprise for TASERS and holsters for the Fire Investigation Unit. This amount represents a total invoice of \$5,232.96 less a partial payment of \$2,500 made on a purchase card (p-card).

The Cincinnati Police Department's agreement with Axon for TASERS and holsters was amended to include the Cincinnati Fire Department (CFD). Axon Enterprise billed for TASERS and holsters ordered by CFD in July of 2021 in the amount of \$5,232.96, but Cincinnati Fire Department Finance Management staff did not receive the invoice at that time. In January 2023, Axon followed up about the past due invoice. The total invoice exceeds the State of Ohio's \$3,000 threshold for purchases requiring a certification, necessitating a moral obligation. A partial payment of \$2,500 was made on a p-card, but the remaining balance of \$2,732.96 is still owed to the vendor.

To avoid moral obligations in the future, Cincinnati Fire Department staff have been notified of the state laws and finance policies that apply to the procurement of goods. CFD will continue to work with the Office of Procurement and the Finance Department to ensure proper certifications are in place prior to the purchase of equipment.

The reason for the emergency is the immediate need to make payment to Axon Enterprise for outstanding charges for goods provided to the Cincinnati Fire Department.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director  
Karen Alder, Finance Director

Attachment