

RESOLUTION R-2009-1A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AND TAKE ALL ACTIONS NECESSARY TO CARRY OUT THE PURPOSES OF A SYSTEM-LEASE PURCHASE AGREEMENT WITH MOTOROLA, INC. FOR THE INSTALLATION AND OPERATION OF A NEW RADIO SYSTEM; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council to protect the public health, safety and welfare; and

WHEREAS, the City of Tyler is required to upgrade its radio system due to the age of the equipment and a rebanding requirement by the Federal Government; and

WHEREAS, in addition to an Emergency Response Services Agreement, the City of Tyler is required to enter into a System Purchase Lease Agreement with Motorola, Inc. and the Houston-Galveston Area Council in order to purchase equipment and hardware necessary for the installation and operation of the new radio system;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: Determination of Need. The City Council has determined that a true and very real need exists for the acquisition of the Radio System Equipment and other personal property described in the Lease Schedule between the City of Tyler (Lessee) and Motorola, Inc. (Lessor).


PART 2: Approval and Authorization. The City Council has determined that the Lease Agreement, substantially in the form presented at this City Council meeting, is in the best interests of the Lessee for the acquisition of such Equipment or personal property, and the City Council hereby approves the execution of the Lease Agreement and hereby designates and authorizes City Manager Mark McDaniel or designee to execute and deliver the Lease Agreement on Lessee's behalf with such changes as the City Manager or designee deems appropriate, and any related documents, including any escrow agreement, necessary to carry the transactions contemplated in the Lease Agreement.

PART 3: The City Manager or designee is hereby authorized to take all actions necessary to carry out the purposes of the Lease Agreement with Motorola, Inc.

PART 4: The signatures below from the designated individuals for the City of Tyler evidence the adoption of the Resolution by the City Council.

PART 5: That this Resolution shall take effect immediately upon adoption.

ADOPTED this 14th day of January, A. D., 2009.



BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK



APPROVED:



MARY C. LANDERS
CITY ATTORNEY