

RESOLUTION NO. 2018-134

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND TASER INTERNATIONAL, INC. FOR TASER EQUIPMENT PLUS WARRANTIES IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00) EACH YEAR FOR THREE (3) YEARS AND ACKNOWLEDGE THE CHANGE OF NAME FROM TASER INTERNATIONAL, INC. TO AXON ENTERPRISE, INC.; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City and TASER International, Inc. entered into an Agreement for the purchase of TASER Equipment on March 22, 2017 (“Agreement”), which provided for the purchase of TASERS and Warranties for three (3) years with the ability to renew for two (2) additional one (1) year periods; and

WHEREAS, there is no equivalent competitor for these items as TASER International, Inc. products are not compatible with any other competitor’s conducted electrical weapons; and

WHEREAS, this recurring purchase is also necessary to provide new hires with TASERS as well as to provide for replacements that are out of warranty; and

WHEREAS, the Amendment No. 1 to the Agreement provides for recurring purchases to be made every year for the remainder of the Agreement in an amount not to exceed fifty thousand dollars (\$50,000.00) per year; and

WHEREAS, the parties desire to acknowledge the name change from TASER International, Inc. to AXON Enterprise, Inc.; and

WHEREAS, the parties desire to amend Exhibit A to the Agreement by repealing it in its entirety and replacing it with a new Exhibit A-1, entitled “List of Equipment,” and

amend Exhibit B to the Agreement by repealing it in its entirety and replacing it with a new Exhibit B-1 to the Agreement, entitled "Warranty Terms."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2: That the City Commission has reviewed and hereby approves the attached Amendment No. 1 to the Agreement between the City of Coconut Creek and AXON Enterprises, Inc., previously known as TASER International, Inc.

Section 3: That the City Manager, or designee, is hereby authorized to execute the attached Amendment No. 1 to the Agreement between the City of Coconut Creek and AXON Enterprises, Inc., previously known as TASER International, Inc.

Section 4: That if any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this Resolution.

Section 5: That this Resolution shall be in full force and effect immediately upon its adoption.

Adopted this 26th day of July, 2018.

Joshua Rydell, Mayor

Attest:

Leslie Wallace May, City Clerk

Rydell	<u>Aye</u>
Welch	<u>Aye</u>
Tooley	<u>Aye</u>
Sarbone	<u>Aye</u>
Belvedere	<u>Aye</u>