

**RESOLUTION NO. 2018-228**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, RESCINDING RESOLUTION NO. 2018-134; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND TASER INTERNATIONAL, INC. FOR THE PURCHASE OF TASER EQUIPMENT PLUS WARRANTIES IN AN AMOUNT NOT TO EXCEED SIXTY THOUSAND DOLLARS (\$60,000.00) EACH YEAR FOR THREE (3) YEARS UTILIZING FEDERAL LAW ENFORCEMENT TRUST FUNDS; ACKNOWLEDGING THE CHANGE OF NAME FROM TASER INTERNATIONAL, INC. TO AXON ENTERPRISE, INC.; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on March 22, 2017, the City and TASER International, Inc. entered into an Agreement for the purchase of TASER Equipment (“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 which 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 sixty thousand dollars (\$60,000); 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” and adding Exhibit “C;” and

**WHEREAS**, the funds for the above-referenced request will come from law enforcement trust fund monies and be utilized for law enforcement purposes and comply with the requirements of the State of Florida Forfeiture Guidelines and/or the Department of Justice/Treasury Forfeiture Guidelines.

**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**Section 2:** That Resolution No. 2018-134 is hereby rescinded.

**Section 3:** That the City Commission has reviewed and hereby approves the attached Amendment to the Agreement between the City of Coconut Creek and Axon Enterprises, Inc. previously known as TASER International, Inc.

**Section 4:** 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 5:** That the City Commission hereby approves the appropriation of sixty thousand dollars (\$60,000) from Federal Law Enforcement Trust Fund for TASER equipment.

**Section 6:** 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 7:** That this Resolution shall be in full force and effect immediately upon its adoption.

**Adopted this \_\_\_\_ day of \_\_\_\_\_, 2018.**

(Signatures on following page)

\_\_\_\_\_  
Joshua Rydell, Mayor

Attest:

\_\_\_\_\_  
Leslie Wallace May, City Clerk

Rydell \_\_\_\_\_  
Welch \_\_\_\_\_  
Tooley \_\_\_\_\_  
Sarbone \_\_\_\_\_  
Belvedere \_\_\_\_\_