

**RESOLUTION NO. 19-R-85**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING EXPENDITURES IN EXCESS OF \$50,000 WITH DEERE & COMPANY IN FISCAL YEAR 2018-2019 AND OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, the Schertz Drainage Department has identified a need to purchase a new tractor and shredder, and the Parks Department needs to purchase a new gator;

WHEREAS, Ordinance 19-T-06 approved by Council February 26 2019, authorized a budget adjustment increasing the Drainage budget by \$73,438.00 to purchase a mower and shredder from fund balance; and

WHEREAS, the Drainage and Parks Departments has chosen Deere & Company, a vendor participating in Texas Cooperative Purchasing Agreement, for the purchase of this equipment; and

WHEREAS, purchases under the cooperative programs meet the requirements under Subchapter C, Chapter 791.025 of the Texas Government Code, which states that a local government that purchases goods and services under this section satisfies the requirement of the local government to seek competitive bids for the purchase of the goods and services; and

WHEREAS, it has been determined that it is in the best interest of the City to purchase the mower and shredder and gator from Deere & Company;

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

Section 1. The City Council hereby authorizes expenditures for Fiscal Year 18-19 with Deere & Company in an amount not to exceed \$75,000.00.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 23rd day of July 2019.

CITY OF SCHERTZ, TEXAS

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Michael R. Carpenter, Mayor

ATTEST:

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Brenda Dennis, City Secretary

(CITY SEAL)