

RESOLUTION NO. 21-R- 87__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS DECLARING CERTAIN PUBLIC SAFETY EQUIPMENT TO BE SURPLUS PROPERTY AND AUTHORIZING A DONATION AGREEMENT GOVERNING THE SAME TO THE CITY OF SANTA CLARA, TEXAS; AND OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the City of Santa Clara, Texas is establishing a new Police Department for the purpose of protecting the safety of persons within the City; and,

WHEREAS, the City of Schertz, Texas, being in close proximity of Santa Clara, finds it to be in the best interest of the City of Schertz to support the City of Santa Clara in developing and increasing its capacity to protect and safeguard the public health and safety, which in turn provides a public benefit to the region as a whole, inclusive of the City of Schertz; and,

WHEREAS, each of the Parties maintain equipment, as well as personnel, for the purpose of protecting the safety of persons present in their respective jurisdictions; and,

WHEREAS, the City of Schertz and City of Santa Clara desire to augment the capabilities of the City of Santa Clara Police Department in their respective jurisdictions and for mutual aid responses by agreeing to the donation of certain surplus public safety equipment.

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

- Part 1. The equipment listed in Exhibit A, which has value but is no longer needed for the foreseeable needs of the City of Schertz, is hereby declared to be surplus property.
- Part 2. The City of Schertz finds that the donation of the surplus property to the City of Santa Clara constitutes a predominately public purpose of the City;
- Part 3. That the enhanced ability of the City of Santa Clara to protect the public safety and general welfare will also provide a return benefit to the City of Schertz as its neighboring city by better protecting the public safety and general welfare of the region as a whole;
- Part 4. The City is authorized to facilitate the transfer said equipment to the City of Santa Clara pursuant to the Donation Agreement, attached here as Exhibit "A."
- Part 5. 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.

- Part 6. 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.
- Part 7. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Part 8. 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.
- Part 9. 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.
- Part 10. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this ____ day of September 2021.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)