

A RESOLUTION

A RESOLUTION OF THE CITY OF FAIR OAKS RANCH, TEXAS AUTHORIZING EXECUTION OF A PARTICIPATION AGREEMENT WITH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM, A PURCHASE ORDER WITH EWALD KUBOTA FOR A SKID STEER, EXPENDITURE OF THE REQUIRED FUNDS, AND EXECUTION OF ALL APPLICABLE DOCUMENTS BY THE CITY MANAGER

WHEREAS, the equipment replacement fund establishes a replacement schedule for equipment; and,

WHEREAS, a skid steer is scheduled to be replaced in Fiscal Year 2023-24; and,

WHEREAS, the equipment has met or surpassed its expected useful life; and,

WHEREAS, the cost to purchase a skid steer is \$65,672.65; and,

WHEREAS Section 271.102 of the Texas Government Code allows local governments to enter into Cooperative Purchasing Programs with other local governments of the State or with local Cooperative Organizations; and,

WHEREAS, the City can utilize pricing from the Sourcewell Cooperative Purchasing Program by executing a Participation Agreement (**Exhibit A**); and,

WHEREAS, the City Council of the City of Fair Oaks Ranch supports this equipment replacement, membership in the Sourcewell Cooperative Purchasing Program, and the execution of a Purchase Order with Ewald Kubota (**Exhibit B**).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS THAT:

- Section 1.** The City Council hereby authorizes the City Manager to execute a Participation Agreement with the Sourcewell Cooperative Purchasing Program, a Purchase Order with Ewald Kubota for the skid steer, to expend required funds up to \$65,672.65, and to execute any and all applicable documents to effectuate this Resolution.
- 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resolutions or parts thereof, which are in conflict or inconsistent with any provision of this resolution are hereby repealed to the extent of such conflict, and the provision of this resolution shall be and remain controlling as to the matters resolved herein.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 that 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 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, APPROVED, and ADOPTED on the 16th day of November 2023.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC, City Secretary

Denton Navarro Rocha Bernal & Zech, P.C.,
City Attorney