

**RESOLUTION NO. R2023-009**

**A RESOLUTION** of the City Council of the City of Tumwater, Washington, authorizing the lease of golf carts for the Tumwater Valley Municipal Golf Course.

**WHEREAS**, the City of Tumwater, existing as a Washington municipal corporation, is authorized by the laws of the State to purchase, acquire and lease certain equipment and other property for the benefit of the City of Tumwater and its inhabitants and to enter into contracts with respect thereto; and

**WHEREAS**, pursuant to RCW 35A.11.010, the City of Tumwater is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interest in property, leases and easements necessary to the functions or operations of the City of Tumwater; and

**WHEREAS**, the City of Tumwater hereby finds and determines that the execution of one or more Lease Agreements or lease schedules (“Leases”) in the amount not exceeding Seven Hundred Twelve Thousand, Eight Hundred Dollars (\$712,800.00) for the purpose of acquiring the property (“Equipment”) to be described in the Leases is appropriate and necessary to the functions and operations of the City of Tumwater; and

**WHEREAS**, PNC Equipment Finance, LLC (“Lessor”) shall act as Lessor under said Leases.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUMWATER AS FOLLOWS:**

**Section 1.** The Mayor of the City of Tumwater, acting on behalf of the City of Tumwater, is hereby authorized to negotiate, enter into, execute, and deliver one or more Leases in substantially the form set forth in Exhibit “A” attached hereto (Lease Number 1191466-1), which document is available for public inspection at the office of the City of Tumwater. The Mayor of the City of Tumwater acting on behalf of the City of Tumwater is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Lease as the Mayor deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Leases are hereby authorized.

**Section 2.** By a written instrument signed by the Mayor of the City of Tumwater, said Mayor may designate specifically identified officers or employees of the City of Tumwater to execute and deliver agreements and documents relating to the Leases on behalf of the City of Tumwater.

**Section 3.** The City of Tumwater's obligations under the Leases shall be subject to annual appropriation or renewal by the City of Tumwater as set forth in each Lease and the City of Tumwater's obligations under the Leases shall not constitute general obligations of the City of Tumwater or indebtedness under the Constitution or laws of the State.

**Section 4. Ratification.** Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

**Section 5. Severability.** The provisions of this Resolution are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Resolution or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Resolution, or the validity of its application to other persons or circumstances.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon adoption and signature as provided by law.

**RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

CITY OF TUMWATER

\_\_\_\_\_  
Debbie Sullivan, Mayor

ATTEST:

\_\_\_\_\_  
Melody Valiant, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Karen Kirkpatrick, City Attorney