

RESOLUTION NO. 18-

A RESOLUTION OF THE COMMERCE CITY COUNCIL APPROVING A FIRE PROTECTION AGREEMENT BETWEEN THE CITY OF COMMERCE AND HUNT COUNTY, TEXAS, GRANTING AUTHORITY TO THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND ALL OTHER RELATED DOCUMENTS TO EFFECT THE AGREEMENT FOR FIRE PROTECTION, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING APPROVAL OF THE AGREEMENT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, A regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 20th day of March 2018, at 6:00 p.m. with a majority of City Council members being present and constituting a quorum to consider this Resolution; and

WHEREAS, the County of Hunt, State of Texas, desires to enter into a fire protection service agreement with the City of Commerce, and in connection therewith has submitted an agreement to the City of Commerce for its consideration, a copy of which is attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, the City is authorized under Chapter 791 of the Texas Government Code to enter into agreements with other governmental entities for the provision of governmental services; and

WHEREAS, all funds expended by the City to fulfill its obligations under the Agreement set forth in Exhibit "A" shall be paid from current revenues legally available to the City; and

WHEREAS, after careful consideration and deliberation of the terms of the Agreement, the City Council of the City of Commerce, has determined that the approval of the Agreement is a legitimate governmental function and is deemed to be in the best interest and general health, safety and welfare of the City of Commerce; and

WHEREAS, the agreement marked Exhibit "A" attached hereto and made a part hereof, between the County of Hunt, State of Texas, and the City of Commerce for fire fighting service, be approved and accepted and is hereby approved and accepted in all respects.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE TEXAS:

Section 1. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Approval of Agreement. The Fire Protection Agreement Contract between the City of Commerce and Hunt County, Texas, attached hereto and incorporated herein as Exhibit “A” is hereby approved, and the Mayor or his designee is hereby authorized to execute the Agreement and any and all related documents necessary to effect the Agreement.

Section 3. Severability. If any section, article, paragraph, sentence, clause, phrase or word in this Resolution or the attached Agreement is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Resolution and/or the Agreement, and the City Council hereby declares it would have passed this Resolution approving the remaining portions of this Resolution and of the Agreement despite such invalidity, which remaining portions shall remain in full force and effect.

Section 4. Effective Date. This Resolution shall become effective upon its passage, and the Agreement, Exhibit “A” shall become effective upon execution by the parties.

PASSED AND APPROVED BY THE Commerce City Council at a regular meeting of the City Council of the City of Commerce, Texas, on the 20th day of March 2018.

ATTEST:

CITY OF COMMERCE, TEXAS

Molly Jacobsen, City Secretary

Wyman Williams, Mayor

(seal)

APPROVED AS TO FORM:

Patricia Adams, City Attorney

I, Molly Jacobsen, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a resolution, and that the same has not been repealed and is in full force and effect.

Molly Jacobsen
City Secretary
City of Commerce, Texas

(seal)

Sworn to and subscribed before me, on this the _____ day of _____,
2018, to certify which witness my hand and seal of office.

(seal)

Notary Public
State of Texas