

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, RATIFYING THE EXECUTION BY THE APPROPRIATE CITY OFFICIALS OF A DISCLAIMER REQUIRED FOR THE AS IS PURCHASE OF A HIGH WATER RESCUE UNIT FOR THE FIRE DEPARTMENT.

WHEREAS, the High Water Rescue Unit is needed to provide emergency medical services and fire protection in flood prone areas; and

WHEREAS, flooding is anticipated in the City due to king tides and potential storms due to hurricane and rainy seasons; and

WHEREAS, the High Water Rescue Unit will let firefighters gain access to areas that would otherwise be inaccessible with conventional emergency apparatus; and

WHEREAS, the High Water Rescue Unit is essential to deliver services to our citizens and visitors; and

WHEREAS, the High Water Rescue Unit is being purchased from Eastern Surplus & Equipment Co., as is and without warranty; and

WHEREAS, Eastern Surplus & Equipment Co. requires the execution of a disclaimer containing an indemnification provision in order to complete the transaction; and

WHEREAS, City Commission authorization has traditionally been required for any agreement requiring the City to indemnify another party; and

WHEREAS, the underlying agreement is within the City Manager's authority and will have been executed before this Resolution is presented to the City Commission, leaving as the sole remaining matter the Commission's approval of the indemnification requirement; and

WHEREAS, the Fire Chief recommends that the City Commission ratify the execution by the appropriate City officials of a disclaimer required for the purchase of a High Water Rescue Unit for the Fire Department.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it ratifies the execution, by the appropriate City officials, of a disclaimer required for the purchase of a High Water Rescue Unit for the Fire Department, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2021.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY for the use and reliance of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY