

**RESOLUTION NO. 2020-184**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, APPROVING THE EXPENDITURE IN AN AMOUNT NOT TO EXCEED \$48,185.28, FROM THE LAW ENFORCEMENT TRUST FUND-*STATE* FOR THE PURCHASE OF TWELVE (12) APX 6000 SERIES P25 PHASE II-COMPLIANT SUBSCRIBER RADIOS AND RELATED ACCESSORIES FROM MOTOROLA SOLUTIONS, INC., AS MORE PARTICULARLY SET FORTH IN THE QUOTE-1366601 DATED NOVEMBER 9, 2020, ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A", UNDER THE TERMS AND CONDITIONS SET FORTH IN THE PURCHASE AGREEMENT BETWEEN MOTOROLA SOLUTIONS, INC. AND THE CITY OF HIALEAH DATED JUNE 28, 2020, ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "B"; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, pursuant to Hialeah Resolution No. 2018-060 (June 26, 2018), the City of Hialeah approved the purchase of a 800 MHz P25 Digital Trunked Simulcast Network System to upgrade the City's public safety radio system, increase the City's network coverage and spectrum efficiency, and improve the City's entire communication network while meeting the current and future communication needs of the City associated with public safety; and

**WHEREAS**, on June 25, 2019, pursuant to Hialeah Resolution No. 2019-076, the City Council waived competitive bidding, and approved a Purchase Agreement between Motorola Solutions, Inc. and the City of Hialeah, for the purchase of Motorola's P25 Phase II-compliant subscriber radios, with embedded software, radio accessories and related services including warranty and maintenance services, technical support, and radio repair, for a term of five years ("Purchase Agreement"); and

**WHEREAS**, the Hialeah Police Department needs to purchase an additional twelve (12) APX 6000 Series Motorola's P25 Phase II-compliant subscriber radios and related accessories, for the newly assigned law enforcement officers that are completing their final phase of field training program; and

**WHEREAS**, the purchase of the additional twelve (12) APX 600 Series Motorola's P25 Phase II-compliant subscriber radios is governed by the terms and conditions of the Purchase Agreement, including but not limited to price, delivery and acceptance of the equipment, warranty and maintenance services, and technical support; and

**WHEREAS**, Motorola Solutions, Inc is an active corporation and in good standing in the State of Florida; and

**WHEREAS**, Section 932.7055, Fla. Stat. (2018), the Florida Contraband and Forfeiture Act, authorizes the expenditure of Law Enforcement Trust Funds for this purpose and the funds are available in the Law Enforcement Trust Fund-*State* account #105.1000.521640 for the Hialeah Police Department; and

**WHEREAS**, the Chief of Police of the City of Hialeah Police Department has recommended adoption of this resolution and determined that the proposed expenditure complies with the Florida Contraband Forfeiture Act, and all applicable rules, regulations and guidelines governing the expenditure of Law Enforcement Trust Fund-*State*; and

**WHEREAS**, the City finds the expenditure is in the public interest.

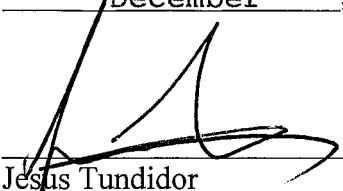
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

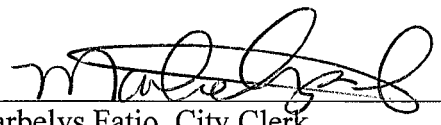
**Section 2:** The City of Hialeah, Florida hereby approves the expenditure in an amount not to exceed \$48,185.28, from the Law Enforcement Trust Fund-*State* for the purchase of twelve (12) APX 6000 Series P25 Phase II-compliant subscriber radios and related accessories from Motorola Solutions, Inc., as more particularly set forth in the Quote-1366601 dated November 9, 2020, attached hereto and made a part hereof as Exhibit "A", under the terms and conditions set forth in the Purchase Agreement between Motorola Solutions, Inc. and the City of Hialeah dated June 28, 2020, attached hereto and made a part hereof as Exhibit "B".

**Section 3:** This resolution shall become effective when approved by majority vote of the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this 8 day of December, 2020.

  
\_\_\_\_\_  
Jesus Tundidor  
Council President

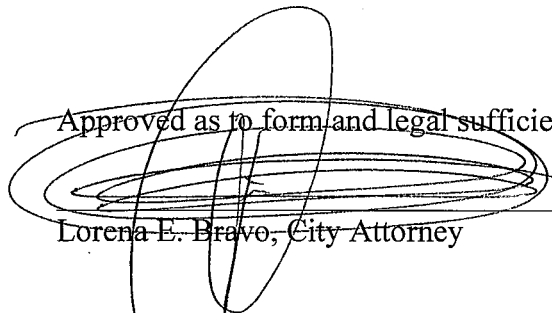
Attest: Approved on this 16 day of December, 2020.

  
\_\_\_\_\_  
Marbelys Fatjo, City Clerk

  
\_\_\_\_\_  
Mayor Carlos Hernandez

Resolution was adopted by 4-0-3 vote with Councilmembers, Garcia-Roves, Perez, Tundidor, and Zogby voting "Yes" and with Council Member De la Rosa and Council Member Hernandez absent, and Council Member Cue-Fuente recording her vote as "Yes".

Approved as to form and legal sufficiency:

  
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Lorena E. Bravo, City Attorney