

## **RESOLUTION NO. 2023-107**

### **A RESOLUTION RATIFYING THE MASTER SERVICES AND PURCHASING AGREEMENT AND THE FIRST AMENDMENT THERETO WITH AXON ENTERPRISE, INC.; AND APPROVING THE 2023 INVOICE FOR THE ANNUAL MAINTENANCE COSTS**

**WHEREAS**, on May 25, 2021, the Town of Castle Rock, Colorado (the “Town”) and Axon Enterprise, Inc., (“Axon”) entered into a Master Services and Purchasing Agreement (the “Agreement”) whereby the Town agreed to purchased Body Worn Cameras, as well as other police related equipment, and software maintenance from Axon for the Castle Rock Police Department;

**WHEREAS**, on August 4, 2022, The Town and Axon entered into the First Amendment to the Agreement (the “First Amendment”) wherein Town Council, subject to the appropriation of sufficient funds, approved amending the Agreement to include the purchase of additional cameras and five (5) more years of software maintenance for Axon;

**WHEREAS**, the Agreement incorporated a ten (10) year service/maintenance agreement, wherein the cost for the first year was \$256,000.00 and the following nine (9) years would cost \$270,000.00 per year;

**WHEREAS**, the total budget impact for the 2023 annual service/maintenance cost is already included in the approved 2023 Castle Rock Police Department’s Budget.

**WHEREAS**, all terms and conditions set forth in the Agreement and First Amendment remain in effect.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:**

**Section 1. Approval.** The Agreement and First Amendment are hereby ratified and shall remain in full force and effect. The 2023 Invoice submitted by Axon (“2023 Axon Invoice”) in the amount of \$270,000.00 is hereby approved.

**Section 2. Encumbrance and Authorization for Payment.** In order to meet the Town's financial obligations under the Agreement, First Amendment and 2023 Axon Invoice, the Town Council authorizes the expenditure and payment from account no. 110-2110-421-61-14 in an amount not to exceed \$270,000.00 for the 2023 Axon Invoice. Subsequent annual payments not to exceed \$270,000.00 per year, are subject to the appropriation of sufficient funds therefor by the Town Council in future fiscal years.

**PASSED, APPROVED AND ADOPTED** this 5th day of September, 2023 by the Town Council of the Town of Castle Rock, Colorado, on first and final reading, by a vote of 6 for and 0 against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

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Lisa Anderson, Town Clerk

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Jason Gray, Mayor

**Approved as to form:**

**Approved as to content:**

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Michael J. Hyman, Town Attorney

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Jack Cauley, Chief of Police