

RESOLUTION NO. 21

Series 2019

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR PARTICIPATION IN THE ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. REGIONAL GOVERNMENT ENTERPRISE LICENSE AGREEMENT

WHEREAS, Environmental Systems Research Institute, Inc. ("ESRI") is a provider of Geographic Information Software ("GIS"); and

WHEREAS, the Town, and the towns of Frisco and Silverthorne (individually a "Party" or collectively the "Parties"), each currently pay annual licensing fees to ESRI to maintain each Party's software licenses previously purchased from ESRI; and

WHEREAS, each Party would be required to pay substantial costs to acquire new software licenses and extensions on an individual basis; and

WHEREAS, ESRI has created a Regional Government Enterprise License Agreement ("ELA") intended for a group of small towns with a combined population under 25,000, to allow the towns to work together and enter into a single software licensing agreement in order to access more seats and types of software at a reduced annual fee than each town could afford individually; and

WHEREAS, the ELA will allow the Parties access to the ESRI products listed in the ELA, including maintenance; and,

WHEREAS, pursuant to Title 29, Article 1, Part 2, Colorado Revised Statutes, as amended, and Article XIV, Section 18 of the State Constitution, governments may contract with one another to provide any function, service or facility lawfully authorized to each of the contracting units and any such contract may provide for the joint exercise of the function, service or facility; and

WHEREAS, a proposed "Intergovernmental Agreement For Participation In The Environmental Systems Research Institute, Inc. Regional Government Enterprise License Agreement" between the Town and the towns of Frisco and Silverthorne has been prepared, a copy of which is marked Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, the Town Council has reviewed the proposed intergovernmental agreement, and finds and determines that it would be in the best interest of the Town to enter into such agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. The "Intergovernmental Agreement For Participation In The Environmental Systems Research Institute, Inc. Regional Government Enterprise License Agreement" with the towns of Frisco and Silverthorne" (Exhibit "A" hereto) is approved, and the Mayor is authorized, empowered, and directed to execute such agreement for and on behalf of the Town of Breckenridge.

Section 2. This resolution is effective upon adoption.

RESOLUTION APPROVED AND ADOPTED this 27th day of August, 2019.

TOWN OF BRECKENRIDGE

By: _____/s/_____
Eric S. Mamula, Mayor

ATTEST:

_____/s/_____
Helen Cospolich, CMC, Town Clerk

APPROVED IN FORM

_____/s/_____
Town Attorney Date