

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE AGREEMENT; AND OTHER MATTERS RELATING THERETO.

The City Council of the City of Hartsville (the “*Council*”), the governing body of the City of Hartsville, South Carolina (the “*City*”), has made the following findings of fact:

WHEREAS, the City is a municipal body corporate and politic of the State of South Carolina and possesses all general powers granted by the Constitution and statutes of the State of South Carolina to such public entities;

WHEREAS, the City has determined that the need exists for an aviation refueling truck (the “*Refueling Equipment*”) for use at the Hartsville Regional Airport;

WHEREAS, leasing of the Refueling Equipment under a Lease Agreement (the “*Agreement*”), which includes certain purchasing options for the Refueling Equipment, presents the most reasonable means of acquiring the needed equipment;

WHEREAS, the Council hereby finds and determines that the Agreement shall be authorized, approved, executed and delivered in accordance with the provisions of this Resolution.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and the Council members of the City of Hartsville, South Carolina, in a meeting duly assembled, as follows:

Section 1 Recitals

Each finding or statement of fact set forth in the recitals hereto has been carefully examined and has been found to be in all respects true and correct.

Section 2 Approval of the Agreement

A. The Council has reviewed the Agreement and authorizes the City Manager and the City’s legal counsel to finalize negotiations of the Agreement.

B. The Agreement shall be executed and delivered on behalf of the City by the City Manager. Upon such execution, the Council shall be timely informed of the execution of the Agreement and informed as to any material deviation of terms in the current draft. The consummation of the transactions and undertakings described in the Agreement, and such additional transactions and undertakings as may be determined by the City Manager in consultation with the Council to be necessary or advisable in connection therewith are hereby approved.

Section 3 Ratification of Prior Actions

In connection with the execution and delivery of the Agreement, the City Manager

B. Any actions previously undertaken by the City Manager, Council or City staff in connection with the execution and delivery of the Agreement prior to the enactment of this Resolution are ratified and confirmed.

Section 4 Severability

If any one or more of the provisions of this Resolution should be contrary to law, then such provision shall be deemed severable from the remaining provisions and shall in no way affect the validity of the other provisions of this Resolution.

Section 5 Inconsistency

All ordinances, resolutions or parts of any ordinances or resolutions inconsistent or in conflict with the provisions of this Resolution are hereby repealed to the extent of the conflict or inconsistency.

Section 6 Effect

This Resolution shall be effective upon its adoption by the Council.

DONE AND ADOPTED IN COUNCIL ASSEMBLED, this ___ day of _____ 2024.

Casey Hancock, Mayor
Mayor

[SEAL]

ATTEST:

Andrea D. Crenshaw, CMC, City Clerk