

RESOLUTION No. 2006-77-423

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN MASTER ESCROW AGREEMENT WITH IRON MOUNTAIN INTELLECTUAL PROPERTY MANAGEMENT, INC., AND TYLER TECHNOLOGIES, EDEN DIVISION, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council approved the purchase of city-wide software from Tyler Technologies, Eden Division on December 14, 2005, and

WHEREAS, although the City purchased the license to operate the software system, the actual system is proprietary in nature, and

WHEREAS, in order to avoid the disclosure of Eden's proprietary technology, Eden is requiring that an escrow account be established to provide retention, administration and controlled access of the proprietary technology materials, and

WHEREAS, Iron Mountain Intellectual Property Management, Inc., will be the depository, and

WHEREAS, the City is required to pay an initial start-up cost of \$500.00, plus a \$650.00 maintenance fee per year. Annual renewals may be increased no more than 5% per year,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AUTHORIZATION: The City Manager for the City of Miami Gardens is hereby authorized to execute that certain Master Escrow Agreement with Iron Mountain Intellectual Property Management, Inc., a copy of which is attached hereto as Exhibit "A."

Section 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby authorized to obtain four (4) fully executed copies of the subject Agreement, with one to be maintained by the City; with one to be delivered to Iron Mountain Intellectual Property Management, Inc., with one to be delivered to Tyler Technologies, Eden Division, and with one to be directed to the Office of City Attorney.

Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON JULY 12, 2006.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY O. CREW, CITY MANAGER

MOVED BY: Vice Mayor Braynon
SECONDED BY: Councilwoman Watson

VOTE: 7-0

Mayor Shirley Gibson
Vice Mayor Oscar Braynon, II
Councilman Melvin L. Bratton
Councilman Aaron Campbell
Councilman Ulysses Harvard
Councilwoman Sharon Pritchett
Councilwoman Barbara Watson

<u>x</u>	(Yes)	___	(No)
<u>x</u>	(Yes)	___	(No)
<u>x</u>	(Yes)	___	(No)
<u>x</u>	(Yes)	___	(No)
<u>x</u>	(Yes)	___	(No)
<u>x</u>	(Yes)	___	(No)
<u>x</u>	(Yes)	___	(No)

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