

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 6/27/2013

Action Requested By:
EMA

Agenda Item Type
Resolution

Subject Matter:

Modification No. 1 of the lease agreement between the City of Huntsville and HEMSI

Exact Wording for the Agenda:

Modification No. 1 of the lease agreement between the City of Huntsville and HEMSI.

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

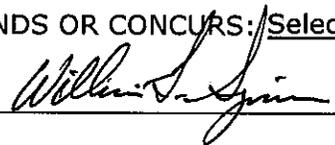
This will remove the obligation of HEMSI to make lease payments for equipment purchase using grant funds.

Associated Cost: _____

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: _____



Date: 6/12/2013

ROUTING SLIP CONTRACTS AND AGREEMENTS

Originating Department: EMA Council Meeting Date: 6/27/2013

Department Contact: Bill Sizemore Phone # 5130

Contract or Agreement: Modification No. 1 to the lease agreement between the City of Huntsville and H...

Document Name: Modification No. 1 to the lease agreement between the City of Huntsville and HEMSI

City Obligation Amount:

Total Project Budget:

Uncommitted Account Balance:

Account Number:

Procurement Agreements

Not Applicable	Not Applicable
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Grant-Funded Agreements

State Other	Grant Name: <input style="width: 50%;" type="text"/>
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Department	Signature	Date
1) Originating	<i>Bill Sizemore</i>	6/12/13
2) Legal	<i>Mary Carter</i>	6/18/13
3) Finance	<i>[Signature]</i>	6/14/13
4) Originating		
5) Copy Distribution		
a. Mayor's office (1 copies)		
b. Clerk-Treasurer (Original & 2 copies)		

RESOLUTION NO. 13-_____

WHEREAS, the City of Huntsville, Alabama and Huntsville Emergency Medical Services (HEMSI) previously entered into a Lease Agreement pursuant to Resolution No. 13-50 of the City Council of the City of Huntsville, Alabama; and

WHEREAS, the parties mutually desire to amend the said Lease Agreement to modify the rent due from the Lessee (HEMSI) to the Lessor (City);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor of the City of Huntsville is hereby authorized, requested and directed to enter into Modification No. 1 to the Agreement between the City of Huntsville, Alabama and Huntsville Emergency Medical Services, Inc., as adopted by Resolution No. 12-553 on June 28, 2012, said modification being substantially similar in words and figures to that document identified as "MODIFICATION NO. 1 TO THE LEASE AGREEMENT BETWEEN THE CITY OF HUNTSVILLE, ALABAMA AND HUNTSVILLE EMERGENCY MEDICAL SERVICES, INC." consisting of two (2) pages, and the date of June 27, 2013, appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, an executed copy of said document being permanently kept on file in the Office of the City Clerk-Treasurer of the City of Huntsville.

ADOPTED this the 27th day of June, 2013.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the 27th day of June, 2013.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA)

COUNTY OF MADISON)

Modification No. 1 to the Lease Agreement Between the City of Huntsville and HEMSI, as adopted and approved by the City Council of the City of Huntsville on January 24, 2013 pursuant to Resolution No. 13-50

MODIFICATION NO. 1 TO THE LEASE AGREEMENT BETWEEN THE CITY OF HUNTSVILLE, ALABAMA AND HUNTSVILLE EMERGENCY MEDICAL SERVICES, INC.

THIS AGREEMENT entitled "Modification No. 1 to the Lease Agreement Between the City of Huntsville, Alabama and Huntsville Emergency Medical Services, Inc" as referenced above is entered into on this the 27th day of June, 2013, by and between the CITY OF HUNTSVILLE, Alabama (City or Lessor) and HUNTSVILLE EMERGENCY MEDICAL SERVICES, INC. (HEMSI OR Lessee).

WITNESSETH

WHEREAS, the parties entered into a Lease Agreement for personal property dated January 24, 2013 for the Lessor to lease certain personal property (the Equipment) to the Lessee); and

WHEREAS, the said Lease Agreement provided that the Lessee would pay the Lessor rent in the amount of Ten Dollars (\$10.00) per year; and

WHEREAS, the parties mutually desire to amend the Lease Agreement so that no monetary amount is due from Lessee to Lessor as rent; and

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree to modify the Lease Agreement as follows:

President of the City Council of the City of Huntsville, Alabama
Date: June 27, 2013

1. Section 3 of the said Lease Agreement shall be deleted in its entirety, and replaced with the following language:

As consideration for this lease, Lessee agrees to comply with all reporting and other requirements for the use of Alabama Department of Homeland Security grant funds.

2. All other terms and conditions of the original Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have entered into this agreement on the 27th day of June, 2013.

THE CITY OF HUNTSVILLE, ALABAMA

ATTESTED:

By: _____

By: _____

Mayor Tommy Battle

Date: _____

**HUNTSVILLE EMERGENCY MEDICAL SERVICES
INCORPORATED (HEMSI)**

ATTESTED

By: _____

By: _____

Date: _____

Its: _____