

RESOLUTION NO. 2014-_____

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO SECTION 34 OF THE CITY CHARTER AND THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO AUTHORIZE THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE SUSQUEHANNA HOSE COMPANY TO PROVIDE FUNDING FOR THE PURCHASE OF A FIRE/RESCUE BOAT.

WHEREAS, the SHCO and the City of Havre de Grace have discussed and agreed upon conditions and a general schedule for the funding of the purchase of a new Fire/Rescue Boat;

WHEREAS, the City of Havre de Grace has determined a payment schedule for the funding; and

WHEREAS, the payment schedule is acceptable to the SHCO.

NOW THEREFORE, it is this _____ day of November, 2014 determined, decided and resolved by the Mayor and City Council as follows:

1. The City of Havre de Grace shall provide a total of up to Three Hundred Thousand Dollars (\$300,000.00) to the SHCO during the fiscal years 2016, 2017, 2018 and 2019.

2. The parties shall enter into a Memorandum of Understanding and the Mayor is authorized to execute the same to provide a \$75,000.00 payment in June during the fiscal year 2016 and annually thereafter until a total of Three Hundred Thousand Dollars (\$300,000.00) has been paid by the City for the purchase of a new Fire/Rescue Boat.

3. After receipt, the SHCO shall deposit these funds from the City separately from its general funds to pay for the new Fire/Rescue Boat.

4. The City's commitment to pay \$300,000.00 to SHCO shall be reduced by the funds received from any grant or donation for the new boat that the SHCO shall make efforts to obtain, and any funds from the sale of the current SHCO Fire/Rescue Boat.

5. SHCO shall annually account for these funds in its annual audit provided to the City and shall produce documentation for any expenditure of these funds.

ATTEST:

MAYOR AND CITY COUNCIL OF
HAVRE DE GRACE

James Newby
Director of Administration

By: Wayne H. Dougherty, Mayor

Introduced: November 3, 2014
Passed: November 3, 2014

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding dated the ____ day of November, 2014 between the Mayor and City Council of Havre de Grace, Maryland (City) and Susquehanna Hose Company, Inc. (SHCO) is intended to set forth the parties' agreement and understanding for the provision and use of specific funding.

1. Need for Funding. The SHCO has advised the City that it needs to replace its Fire/Rescue Boat within the next two years. The new boat cost will exceed Three Hundred Thousand Dollars (\$300,000.00).

2. Funding Plan. The City shall designate \$75,000.00 from the Slip Tax User Fund in the fiscal year 2016 to be paid over to the SHCO on or prior to June 30, 2016. In June of each fiscal year thereafter until June 2019 the City shall pay over to the SHCO from its budgeted funds \$75,000.00 until a total of \$300,000.00 has been paid to the SHCO for the new Fire/Rescue Boat. The amounts paid are subject to certain subtractions set forth below.

3. Designated Funding. SHCO shall maintain these funds separate from its general funds. SHCO shall only use the funds paid over to it from the City pursuant to this MOU for the purchase of a new Fire/Rescue Boat. SHCO shall annually account for these funds in its annual audit provided to the City and shall produce documentation for any expenditure of these funds. SHCO shall advise the City if these designated funds for the purchase of the new Fire/Rescue Boat are not needed due to other funding sources. Any unspent funds delivered for the replacement of the new Fire/Rescue Boat pursuant to this MOU shall be returned to the City.

4. Alternate Sources of Funding. The SHCO shall make its best efforts to obtain grants or designated donations for the funding of its new Fire/Rescue Boat and shall sell its current Fire/Rescue Boat in a commercially reasonable manner. All funds obtained from grants, donations and the sale of the current Fire/Rescue Boat shall be subtracted from the City's commitment to provide \$300,000.00 to SHCO for the purchase of the new Fire/Rescue Boat.

5. Miscellaneous. The parties agree that this document contains their entire Agreement as to the funding of the Fire/Rescue Boat. Time is of the essence. This is a Maryland agreement and Harford County is the sole venue for any dispute.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding, as follows:

WITNESS/ATTEST

SUSQUEHANNA HOSE
COMPANY, INC.

By: _____
Name: Charlie Packard
Title: President

WITNESS/ATTEST

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

James Newby
Director of Administration

By: _____
Name: Wayne H. Dougherty
Title: Mayor

Approved as to form:

Paul W. Ishak, Esquire
City Attorney for Havre de Grace