

## **Resolution 67**

### **A RESOLUTION OF THE GOVERNING BOARD OF NORCOM APPROVING A SECOND AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN NORCOM AND THE CITY OF MERCER ISLAND, WASHINGTON FOR PROVISION OF A FIRE SERVICE SUBJECT MATTER EXPERT.**

**WHEREAS**, NORCOM and the City of Mercer Island, Washington (the "City") previously entered into a Memorandum of Understanding dated as of August 10, 2012, as amended (the "Agreement"), to permit the temporary reassignment of a City employee to serve as a Fire Service Subject Matter Expert ("SME") to NORCOM; and

**WHEREAS**, Firefighter Ken Knott was selected to serve as the Fire Service SME and has been serving in such capacity since July 23, 2012; and

**WHEREAS**, as currently amended, the Agreement was scheduled to expire on June 30, 2013, and due to project needs, NORCOM continues to need the services of a Fire Service SME; and

**WHEREAS**, the Governing Board now desires to revive and amend the Agreement to extend its term until December 31, 2014 as provided herein:

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of NORCOM as follows:

Section 1. Authorization of Amendment to Agreement. The Second Amendment to Agreement, substantially in the form attached hereto as Exhibit A, is hereby approved (the "Second Amendment"). The Executive Director is hereby authorized to execute the Second Amendment with such modifications and revisions as determined to be necessary by the Executive Director and legal counsel to NORCOM.

Section 2. Further Authority; Prior Acts. All NORCOM officials, their agents, and representatives are hereby authorized and directed to undertake all action necessary or desirable from time to time to carry out the terms of, and complete the transactions contemplated by, this resolution. All acts taken pursuant to the authority of this resolution but prior to its effective date are hereby ratified and confirmed.

Section 3. Effective Date. This resolution shall take effect immediately upon its passage and adoption.

Passed by a majority vote of the Governing Board in an open meeting on this 13th day of December, 2013.

Signed in authentication thereof on this 13th day of December, 2013.

  
\_\_\_\_\_  
Chair

Attest:   
\_\_\_\_\_  
Secretary

**Exhibit A**

**Form of Second Amendment  
(attached)**

SECOND AMENDMENT TO MEMORANDUM OF  
UNDERSTANDING BY AND BETWEEN THE CITY OF  
MERCER ISLAND, WASHINGTON AND NORCOM

THIS SECOND AMENDMENT TO MEMORANDUM OF UNDERSTANDING (the "Second Amendment") is made and entered into as of \_\_\_\_\_, 2013, by and between NORCOM and the City of Mercer Island, Washington (the "City," and together with NORCOM, the "Parties") and revives and amends that certain Memorandum of Understanding between the City and NORCOM dated August 10, 2012, as amended on December 31, 2012, regarding a Fire Service Subject Matter Expert (the "Original Agreement").

WHEREAS, the Parties previously entered into the Original Agreement to permit the temporary reassignment of a City employee to serve as a Fire Service Subject Matter Expert ("SME") to NORCOM; and

WHEREAS, Firefighter Ken Knott was selected to serve as the Fire Service SME and has served in such capacity since July 23, 2012; and

WHEREAS, the Original Agreement was scheduled to expire on June 30, 2013, and due to project needs, NORCOM continues to need the services of a Fire Service SME; and

WHEREAS, the Parties now desire to revive and amend the Original Agreement to extend its term until December 31, 2014 as provided herein:

NOW THEREFORE, it is mutually agreed and covenanted by and between the parties, as follows:

Section 1. Definitions. All words and phrases not otherwise defined herein shall have the meanings given to them in the Original Agreement.

Section 2. Revival of Original Agreement. The Parties hereto agree to revive the Original Agreement and it is hereby deemed to have been in force uninterrupted since its original effective date. The terms of the Original Agreement are hereby reinstated, ratified and confirmed.

Section 3. Amendment. Section 1 of the Original Agreement is hereby amended as follows (additions are double underlined, deletions are stricken):

Section 1. The Fire SME will be needed through approximately December 31, 2014 ~~June 30, 2013~~. Both parties recognize that this period may be extended on mutual agreement based on project needs. Any extension of the SME assignment beyond

December 31, 2014 ~~June 30, 2013~~ will necessitate another amendment of the SME MOU.

Section 4. Ratification and Confirmation. All other terms and conditions of the Original Agreement are hereby ratified and confirmed.

Section 5. Effective Date. The amendment set forth herein shall be effective as of the date first written above.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment, all as of the day and year first above mentioned.

NORCOM

By \_\_\_\_\_

THE CITY OF MERCER ISLAND,  
WASHINGTON

By \_\_\_\_\_