

**RESOLUTION TO AUTHORIZE EXTENSION OF PUBLIC TRANSIT VEHICLE LEASE
AGREEMENTS BETWEEN THE CITY OF FREEPORT AND PRETZEL CITY
TRANSIT COMPANY, LLC**

RESOLUTION NO. R-2013-69

WHEREAS, the City Council of the City of Freeport has approved Vehicle Lease Agreements to Pretzel City Transit Company as detailed in Exhibit A as attached; and

WHEREAS, the current Vehicle Lease Agreements are set to expire on December 31, 2013; and

WHEREAS, the City of Freeport may not obligate IDOT funds through entering into new transportation agreements until IDOT issues concurrence on the City's Requests for Proposals, which are currently under IDOT review; and

WHEREAS, an interruption of the City's public transportation service would be deleterious to the City of Freeport and its residents; and

WHEREAS, both of the aforementioned parties are desirous of extending such Vehicle Lease Agreements through June 30, 2014 or until such time as new Vehicle Lease Agreements are entered into.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT:

Section 1. The foregoing recitals shall be and are hereby incorporated in this Section 1 as if said recitals were fully set forth.

Section 2. That it does hereby authorize entering into the extension of Vehicle Lease Agreements, as shown in Exhibit A as attached, with PRETZEL CITY TRANSIT COMPANY, LLC.

Section 3. The Corporate Authorities hereby authorize appropriate City officials or employees as may be required or convenient, to sign on behalf of the City of Freeport the said Lease Agreements and any other document(s) necessary or convenient to fulfill the intent of this Resolution.

Section 4. That the provisions of this Resolution are severable and if any court of competent jurisdiction shall declare any portion of this Resolution to be invalid or unenforceable, said decision shall not affect any portion of this Resolution, other than the part declared invalid or unenforceable. The City Council hereby declares that it would have enacted this Resolution even with the invalid or unenforceable portion deleted.

Section 5 This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

Section 6. That this Resolution is expressly adopted pursuant to the Home Rule authority of the City of Freeport under Section 6(a) of Article VII of the Illinois Constitution of 1970, and that all Resolutions or motions in conflict with this Resolution are repealed insofar as they conflict.

Section 7. That any resolution or motion in conflict with this Resolution is hereby repealed insofar as it conflicts with this Resolution.

RESOLVED this _____ day of _____, 2013.

Martha E. Zuravel, City Clerk

APPROVED this _____ day of _____, 2013.

James L. Gitz, Mayor

**EXTENSION OF VEHICLE LEASE AGREEMENTS BETWEEN CITY OF FREEPORT,
ILLINOIS AND PRETZEL CITY TRANSIT, LLC**

This Agreement is made and entered into, by and between the City of Freeport, Illinois, and PRETZEL CITY TRANSIT, LLC (the "Parties") for the purpose of extending the contracts entitled

1. VEHICLE LEASE AGREEMENT BETWEEN CITY OF FREEPORT, ILLINOIS AND PRETZEL CITY TRANSIT, dated June 10, 2009 for a 2008 Chevrolet Uplander, 6 passenger van, VIN 1GBDV13W58D115940 commonly known as "Vehicle 1";
2. VEHICLE LEASE AGREEMENT BETWEEN THE CITY OF FREEPORT AND PRETZEL CITY TRANSIT, LLC – VEHICLE 2, dated April 6, 2009, for a 2008 Chevrolet Uplander, 6 passenger van, VIN 1GBDV13W18D212164, commonly known as "Vehicle 2";
3. VEHICLE LEASE AGREEMENT BETWEEN CITY OF FREEPORT, ILLINOIS AND PRETZEL CITY TRANSIT LLC – VEHICLE 1 , dated April 6, 2009, for a 2008 Chevrolet Uplander, 6 passenger van, VIN 1GBDV13W48D211932, commonly known as "Vehicle 1" (Now Vehicle 3);
4. VEHICLE LEASE AGREEMENT BETWEEN CITY OF FREEPORT, ILLINOIS AND PRETZEL CITY TRANSIT LLC, dated June 10, 2009 for a 2009 Ford, El Dorado, 12 passenger light duty bus, VIN 1FDEE35L89DA55034, commonly known as "Vehicle 4";
5. VEHICLE LEASE AGREEMENT BETWEEN CITY OF FREEPORT, ILLINOIS AND PRETZEL CITY TRANSIT, dated July 29, 2009 for a 2008 Ford E-350 11 passenger medium duty, VIN 1FDWE35L97DB47402 commonly known as "Bus 10"; and
6. VEHICLE LEASE AGREEMENT BETWEEN THE CITY OF FREEPORT AND PRETZEL CITY TRANSIT LLC, dated December 9, 2010, for a 2010 Ford Eldorado Aero Lite 12 Passenger, VIN #1FDEE3FL7ADB01505, commonly known as "Vehicle 11" and a 2010 Ford Eldorado Aero Lite 12 Passenger, VIN #1FDEE3FL0ADB01491, commonly known as "Vehicle 12"
7. VEHICLE LEASE AGREEMENT BETWEEN THE CITY OF FREEPORT AND PRETZEL CITY TRANSIT LLC, dated July 23, 2013 for a 2009 Ford E350, El Dorado Aerolite, 11 passenger light duty bus, VIN 1FDEE35L79DA92348, commonly known as "Vehicle 6"

The Parties agree to extend said agreements through JUNE 30, 2014, or until a successor agreement(s) is reached, whichever occurs first.

Pursuant to the terms of the Agreement, Section 17, this Amendment shall be attached to and made a part of the original Agreements once it is dated and executed by both Parties.

All other terms and conditions of the Agreement remain unchanged.

Accepted on behalf of PRETZEL CITY TRANSIT, LLC.

Signature of Authorized Representative

Printed/Typed Name

Dated: _____, 20____

Accepted on behalf of the City of Freeport

James L. Gitz, Mayor

Dated: _____, 20____