

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LETTER AGREEMENT WITH ANIMAL CARE TRUST D/B/A MCKAMEY ANIMAL CENTER, INC. FOR THE EXTENSION OF THE CURRENT AGREEMENT THROUGH JUNE 30, 2014.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, that it is hereby authorizing the Mayor to enter into a Letter Agreement with Animal Care Trust d/b/a McKamey Animal Center, Inc. for the extension of the current agreement through June 30, 2014.

ADOPTED: _____, 2013.

/mms

December 16, 2013

Ms. Ann Ball
Chairperson
McKamey Animal Care and Adoption Center
4500 N. Access Road
Chattanooga, TN 37415

Re: Extension of Operating Agreement

Dear Ms. Ball:

The purpose of this letter (“Letter Agreement”) is to extend that certain agreement executed by and between the City of Chattanooga (the “City”) and the Animal Care Trust d/b/a McKamey Animal Care and Adoption Center (“McKamey”) dated July 1, 2008 (“Operating Agreement”). The parties agree that the obligations set forth in the Operating Agreement remain in effect and govern the parties until June 30, 2014 or a fully integrated, definitive agreement have been executed by the parties, whichever occurs earlier. Said terms shall bind both parties unless terminated in one of the manners as follows:

- (i) by mutual written consent of the City and McKamey;
- (ii) upon written notice by any party to the other party the fully integrated, definitive agreement cannot be executed by July 1, 2014; or
- (iii) by either party acting in compliance with the termination provisions of the Operating Agreement.

By executing this Letter Agreement, McKamey also acknowledges that it must fully participate in the Budgeting for Outcomes (BFO) process for the 2014-15 fiscal year. This includes adhering to the City’s requirements and standards as presented. This Letter Agreement shall be governed by the laws of the State of Tennessee and shall not be extended or modified except by a written instrument executed by both parties.

If the foregoing terms and conditions meet with your approval, the City requests that you so indicate by signing where indicated below and returning a counterpart to City.

The foregoing is hereby accepted this ____ day of _____, 2013.

Respectfully yours,

Andy Berke, Mayor
City of Chattanooga

**ANIMAL CARE TRUST d/b/a
MCKAMEY ANIMAL CARE AND ADOPTION CENTER**

By: _____

Name:

Title:

Date: _____