

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE YOUTH AND FAMILY DEVELOPMENT TO AMEND THE LEASE AGREEMENT DATED APRIL 2, 2012, BETWEEN THE CITY OF CHATTANOOGA AND THE EASTGATE TOWN CENTER, LLC, FOR THE USE OF CERTAIN FACILITIES LOCATED AT 5600 BRAINERD ROAD, CHATTANOOGA, TN 37411 AND THE SECOND AMENDMENT TO THE LEASE IS MADE BY AND BETWEEN EAST NOOGA, LLC AND THE CITY OF CHATTANOOGA DEPARTMENT OF YOUTH AND FAMILY DEVELOPMENT SENIOR CENTER, THE TERM OF THE LEASE IS EXTENDED THREE (3) YEARS EFFECTIVE AUGUST 1, 2015, AND CONTINUES THROUGH JULY 31, 2018, WITH AGREED UPON MONTHLY OPERATING EXPENSES OUTLINED BELOW, FOR A TOTAL AMOUNT OF ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000.00).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing the Administrator for the Youth and Family Development to amend the Lease Agreement dated April 2, 2012, between the City of Chattanooga and the Eastgate Town Center, LLC, for the use of certain facilities located at 5600 Brainerd Road, Chattanooga, TN 37411 and the second amendment to the lease is made by and between East Nooga, LLC and the City of Chattanooga Department of Youth and Family Development Senior Center, the term of the lease is extended three (3) years effective August 1, 2015, and continues through July 21, 2018, with agreed upon monthly operating expenses outlined as follows, for a total amount of \$180,000.00:

For the following periods, the monthly operating expenses are as follows:

- 1) 8/1/2015 through 7/31/2016 - \$4,500.00 per month = \$ 54,000.00
 - 2) 8/1/2016 through 7/31/2017 - \$5,000.00 per month = \$ 60,000.00
 - 3) 8/1/2017 through 7/31/2018 - \$5,500.00 per month = \$ 66,000.00
- Total.....\$180,000.00

ADOPTED: _____, 2015

/mem

City of Chattanooga



Resolution/Ordinance Request Form

Date Prepared: 6/2/2015

Preparer: Chris Brown

Department: Youth & Family Development

Brief Description of Purpose for Resolution/Ordinance: Res./Ord. # _____ Council District # All

Authorization for the Administrator of the Department of Youth and Family Development to amend the Lease Agreement dated April 2, 2012, between the City of Chattanooga and the Eastgate Town Center, LLC, for the use of certain facilities located at 5600 Brainerd Road, Chattanooga, TN 37411.

The Second Amendment to the Lease is made by and between East Nooga LLC and the City of Chattanooga Department of Youth and Family Development Senior Center. The term of the Lease is extended three (3) years effective August 1, 2015, and continues through July 31, 2018. Agreed upon monthly operating expenses are 8/1/2015-7/31/2016 (\$4,500.00) per month, 8/1/2016-7/31/2017 (\$5,000) per month, 8/1/2017-7/31/2018 (\$5,500) per month.

Name of Vendor/Contractor/Grant	<u>East Nooga, LLC</u>	New Contract/Project? (Yes or No)	<u>Yes</u>
Total project cost \$	<u>180,000.00</u>	Funds Budgeted? (YES or NO)	<u>Yes</u>
Total City of Chattanooga Portion \$	<u>180,000.00</u>	Provide Fund	<u>1100</u>
City Amount Funded \$	<u>180,000.00</u>	Provide Cost Center	<u>N20102</u>
New City Funding Required \$	<u>0.00</u>	Proposed Funding Source if not budgeted	<u>N/A</u>
City's Match Percentage %	<u>0%</u>	Grant Period (if applicable)	<u>N/A</u>

List all other funding sources and amount for each contributor.

<u>Amount(s)</u>	<u>Grantor(s)</u>
\$ _____	_____
\$ _____	_____
\$ _____	_____

Agency Grant Number _____
CFDA Number if known _____

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by: *Lurone Jennings, Sr.*

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

Please submit completed form to @budget, City Attorney and City Finance Officer

Revised: October, 2011

SECOND AMENDMENT TO LEASE

THIS SECOND AMENDMENT TO LEASE is made as of the date of full execution below by and between **East Nooga, LLC (“Landlord”)** and the **City of Chattanooga’s Senior Center (“Tenant”)**.

WHEREAS, Landlord and Tenant are parties to a Lease dated April 2, 2012, (hereinafter called “Lease”) for certain premises containing an agreed upon 11,405 square feet located at Eastgate Town Center Mall, 5600 Brainerd Road, Suite C-10, Chattanooga, TN 37411 (“Premises”).

WHEREAS, the term of the Lease expires July 31, 2015.

WHEREAS, Landlord and Tenant wish to amend the Lease to include the terms and conditions herein set forth.

NOW THEREFORE, in consideration of the mutual covenants hereinafter set forth and intending to be legally bound, the parties hereby agree as follows:

1. The Lease Term shall be extended for three (3) years beginning August 1, 2015 through July 31, 2018.
2. The Tenant shall be responsible for paying the following monthly operating expenses:

8/1/2015	–	7/31/2016	=	\$4,500.00 (\$0.39 psf/mth)
8/1/2016	–	7/31/2017	=	\$5,000.00 (\$0.44 psf/mth)
8/1/2017	–	7/31/2018	=	\$5,500.00 (\$0.49 psf/mth)

3. Tenant shall not exceed a specified noise level set by Landlord in its sole discretion. Each violation will result in a \$1,000 fine per occurrence.

4. Landlord and Tenant shall each retain its right to terminate the Lease for any or no reason by providing written notice to the other party sixty (60) days prior to the termination.

5. All other terms, conditions and obligations of the Lease shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have agreed to the terms herein and caused this **SECOND AMENDMENT TO LEASE** to be fully executed as of the last date of execution below.

Landlord:
East Nooga, LLC

Tenant:
City of Chattanooga Seniors Center

By: _____

By: _____

Date: _____

Date: _____

Title: _____

Title: _____

Witness: _____

Print Name: _____

Date: _____