

**COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF MADISON, WISCONSIN**

Resolution No. 4137

Authorizing the eleventh amendment of the contract for property management services at The Village on Park between Siegel Gallagher Management Company and the CDA.

Presented July 9, 2015  
Referred \_\_\_\_\_  
Reported Back \_\_\_\_\_  
Adopted July 9, 2015  
Placed on File \_\_\_\_\_  
Moved By Daniel Guerra  
Seconded By Sariah Daine  
Yeas 7 Nays 0 Absent 0  
Rules Suspended \_\_\_\_\_

The Community Development Authority of the City of Madison (the "CDA") entered into contract with Siegel Gallagher Management Company ("Siegel Gallagher") for property management, construction management and leasing services on March 17<sup>th</sup>, 2005 and subsequently executed nine amendments to the contract (the "Management Agreement"). The provisions relating to the Authority to Lease and Leasing Commissions were eliminated in the Eighth Amendment to the Management Agreement on July 10, 2014. Siegel Gallagher (the "Manager") and the CDA would like to amend the Management Agreement with this proposed Eleventh Amendment as follows:

Provision 4.e is added back to the Management Agreement with the following wording, which supersedes the original wording:

Authority to Lease. To negotiate all renewal leases, only when there are no fixed renewal options remaining in a lease. In addition, if an existing tenant does not have a fixed expansion option in its lease, then Manager can help negotiate an expansion of a tenant's existing space if requested.

Provision 6.f. is added back to the Management Agreement with the following wording, which supersedes the original wording:

Leasing Commissions.

(1) Renewals/Expansions:

- i. If there are no fixed renewal/expansion terms in an existing lease, then Manager shall be paid a leasing commission of two and one-half percent (2.5%) of the Base Rent times the rentable square footage over the renewal/expansion term, which shall not exceed five years. For expansions, the leasing commission is calculated off of the expansion area only.
- ii. If an outside broker is recognized in a transaction, then payment to that broker shall be determined on a case-by-case basis.

(2) Excluded Tenants:

The following tenants are excluded from the payment of any leasing commissions from CDA to Manager:

- i. The City of Madison
- ii. Dane County (including-Dane County Parent Council; Madison/Dane County Public Health)
- iii. Madison College

NOW, THEREFORE, BE IT RESOLVED that the CDA is hereby authorizes the revision of the Management Agreement to account for the above-referenced leasing terms.

BE IT STILL FURTHER RESOLVED that the Chair and Secretary of the CDA are hereby authorized to execute and deliver such documentation as is necessary to carry out the terms set forth in this Resolution.