



## Legislation Text

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**File #:** 37331, **Version:** 1

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### **Fiscal Note**

This resolution would authorize the expenditure of \$160,620 for the City's purchase of 2,677 square feet of space in the City-County Building. Sufficient funds are currently available in Project 13 "City Channel Move and Remodel" (Project No. 10574 - Account No. 10574-401-140) of the Facilities Management 2015 Capital Budget (page 227).

### **Title**

Authorizing the Mayor and City Clerk to execute the Fifth Addendum to Agreement between the City of Madison and Dane County for the City's purchase of space in the City-County Building.

### **Body**

WHEREAS, on February 8, 1955, the City of Madison ("City") and Dane County ("County") entered into the "Amended Agreement Between the City of Madison and Dane County for the Construction and Maintenance of a Joint City-County Building" (the "1955 Agreement") pursuant to which the parties have provided for the joint ownership and operation of the City of Madison City Hall and the Dane County Courthouse ("the City-County Building"); and,

WHEREAS, in December 2005, the Parties entered into the "Amended Agreement Between the City of Madison and Dane County for the Operation and Maintenance of a Joint City-County Building" (the "Master Agreement") to update the 1955 Agreement relating to the ownership and operation of the City-County Building; and,

WHEREAS, the parties have entered into four addendums to the Master Agreement regarding sales of space in the City-County Building, the most recent agreement, the "Fourth Addendum to Agreement Between the City of Madison and Dane County for the Sale of Space in the City-County Building" (the "Fourth Addendum"), being entered into by the parties on August 22, 2011; and,

WHEREAS, the parties now wish to enter into this "Fifth Addendum to Agreement Between the City of Madison and Dane County for the Sale of Space in the City-County Building" ("Fifth Addendum") to provide for the sale of Room 340 in the City-County Building from the County to the City and a corresponding update of the City-County Building Space Allocation table.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute the Fifth Addendum on the following terms and conditions:

1. The Fifth Addendum, which includes as exhibits the Master Agreement and the Fourth Addendum, is attached hereto as Exhibit A.
2. Effective upon the execution of the Fifth Addendum, the County agrees to sell to the City Room 340 of the City-County Building, consisting of 2,677 square feet as depicted in Schedule A to Exhibit A.
3. The sale price for Room 340 shall be \$160,620 (\$60/sq. ft.), payable by the City to the County in one installment within thirty (30) days of the execution of the Fifth Addendum by the parties.
4. The sale price indicated herein is for this transaction only and does not reflect or establish the cost per square foot for space in the City-County Building for, or in, any future transactions.

5. The City shall pay any and all costs associated with remodeling Room 340 and shall coordinate remodeling activities with the County's Facilities Management Division.

6. The City-County Building Space Allocation table contained within the Master Agreement is replaced with the Updated City-County Building Space Allocation table attached as Attachment A of the Fifth Addendum. Effective upon the execution of the Fifth Addendum by the parties, the proportionate cost of operation, maintenance and repair of the building and grounds shall be: 40.7% to be paid by the City, and 59.3% to be paid by the County.

BE IT FURTHER RESOLVED that the Mayor and the City Clerk be and hereby are authorized to execute the Fifth Addendum, and any and all additional documents that may be required to complete this transaction, in forms approved by the City Attorney.