



Legislation Details (With Text)

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|------------------------|---|----------------------|-------------------------------|--------------|-------------------------------------|
| File #: | 75514 | Version: | 1 | Name: | 11759 - First Amendment to HR Lease |
| Type: | Resolution | Status: | Passed | | |
| File created: | 1/10/2023 | In control: | Economic Development Division | | |
| On agenda: | 2/7/2023 | Final action: | 2/7/2023 | | |
| Enactment date: | 2/10/2023 | Enactment #: | RES-23-00114 | | |
| Title: | Authorizing the City to enter into a First Amendment to a Lease with Insurance Building Associates for the property located at 119 Martin Luther King, Jr. Blvd for Human Resources. (4th AD) | | | | |
| Sponsors: | Michael E. Verveer | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | 1. 119 MLK Blvd Suite 10 Lease v3.pdf, 2. Exhibit A | | | | |

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------------------|--|--------|
| 2/7/2023 | 1 | COMMON COUNCIL | Adopt | Pass |
| 1/30/2023 | 1 | FINANCE COMMITTEE | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER | Pass |
| 1/17/2023 | 1 | COMMON COUNCIL | Refer | Pass |
| 1/10/2023 | 1 | Economic Development Division | Referred for Introduction | |

Fiscal Note

The proposed resolution extends the lease utilized by Human Resources to meet with employees who request workplace accommodations. The current term of the agreement ends December 31, 2023. This resolution provides for five (5)-one (1) year renewal options through calendar 2028, if the City elects to exercise all these options. Rent costs for 2023 are funded within Human Resources' 2023 operating budget. Rent for future years will be included in future operating budget requests and subject to Council approval.

Title

Authorizing the City to enter into a First Amendment to a Lease with Insurance Building Associates for the property located at 119 Martin Luther King, Jr. Blvd for Human Resources. (4th AD)

Body

WHEREAS, Insurance Building Associates a Wisconsin limited partnership ("Lessor"), is the owner of the commercial building located at 119 Martin Luther King, Jr. Blvd ("Building"); and

WHEREAS, the Lessor and the City are parties to that certain Lease dated December 15, 2018 ("Lease"); and

WHEREAS, the City exercised the existing three Option Terms and the Lease Term expires on December 31, 2023-there are no remaining options to renew; and

WHEREAS, Human Resources would like to continue its use of the Leased Premises, and requested five (5) additional renewal options of one (1) year each for the Leased Premises; and

WHEREAS, the terms of a first amendment to the Lease regarding the continued use of the Leased Premises have been negotiated between the Lessor and the City's Office of Real Estate Services.

NOW, THEREFORE, BE IT RESOLVED, in consideration of the foregoing recitals, that the Mayor and City Clerk are hereby authorized to execute a first amendment ("First Amendment") to the Lease under substantially, but not exclusively, the following terms:

1. Amend Paragraph 4 of the Lease (Term) to add the following paragraph at the bottom thereof:

The City exercised Option Terms 1 through 3 and the Lease ending date is December 31, 2023, unless extended by the City as hereinafter.

2. Amend and restate Paragraph 6 of the Lease as follows:

6. Option to Renew. If, at the end of the Initial Term of the Lease, the City is not in default under the terms and conditions of the Lease, then the City shall have eight (8) options to extend the Lease for an additional term of one (1) year each (individually, "Option Term"; collectively the "Option Terms"), under the same terms and conditions provided in the Initial Term of this Lease, except that Rent during any exercised Option Term shall be as outlined in Exhibit A.

The Option Terms will automatically renew unless the City provides written notification to Lessor, at least 90 days prior to the end of the Initial Term or preceding exercised Option Term, that City is not exercising its otherwise-automatic option extension.

3. All other provisions of the Lease remain unchanged and in full force and effect.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to execute, deliver and record the First Amendment and to take such other actions as shall be necessary or desirable to accomplish the purposes of this Resolution in a form approved by the City Attorney.