

RESOLUTION NO. 10538

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO ENTER INTO THE FIRST AMENDMENT TO THE LEASE AGREEMENT WITH WILKES UNIVERSITY FOR THE CITY-OWNED PROPERTY LOCATED AT 245 WEST 2ND STREET, MESA, ARIZONA.

WHEREAS, the City of Mesa and Wilkes University entered into that certain Lease Agreement dated December 11, 2012, for the educational use of city-owned property known as the Mesa Center for Higher Education, which is located at 245 West 2nd Street, Mesa, AZ.

WHEREAS, Wilkes University and the City of Mesa have determined that the enrollment projections described in Exhibit "C" of the Lease Agreement should be adjusted to better reflect the actual enrollment numbers.

WHEREAS, the minimum enrollment numbers are the basis for the minimum monthly Premises rent, and, therefore, the City Council has determined that it is appropriate in an effort to further assist Tenant's start-up for the City to amend the minimum monthly Premise rent as described in the First Amendment.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA AS FOLLOWS:

Section 1: The City Manager, or his designated representative, is hereby authorized and directed on behalf of the City of Mesa to execute the First Amendment to the Lease Agreement, and any amendments or modifications thereto, with Wilkes University. The City Clerk is authorized and directed to attest to the signature of the City Manager thereon.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona this 22nd day of September, 2014.



ATTEST:


CITY CLERK

APPROVED:


MAYOR

EXHIBIT C-1
Amended Minimum Monthly Rent and Additional Rent Calculation Formulae

Basic Rent Formula

Space type	Price/Course	Price/sf
Standard/Computer Classroom	\$450.00	N/A
Science/Engineering Labs	\$600.00	N/A
Common Space	\$450.00	N/A
Office space	N/A	\$10.87

Wilkes Base Rent Schedule

Year 1: August 1, 2013 – July 31, 2014				
Space type	Number of courses or total office sf ¹	price (sf or class)	Rent/ year	Rent/ month
Standard/Computer Classroom	26	\$450.00	\$11,700.00	\$975.00
Engineering/Science Lab	0	\$600.00	\$0.00	\$0.00
Offices (SF)	1,849	\$10.87	\$20,098.63	\$1,674.89
Common Space	26	\$450.00	\$11,700.00	\$975.00
Sub Total			\$43,498.63	\$3,624.89
Rental Tax*			2.25%	\$978.72
Total			\$44,477.35	\$3,706.45 ²
Year 2: August 1, 2014 – July 31, 2015				
Space type	Number of courses or total office sf ¹	price (sf or class)	Rent/ year	Rent/ month
Standard/Computer Classroom	26	\$450.00	\$11,700.00	\$975.00
Engineering/Science Lab	0	\$600.00	\$0.00	\$0.00
Offices (SF)	1,849	\$10.87	\$20,098.63	\$1,674.89
Common Space	26	\$450.00	\$11,700.00	\$975.00
Sub Total			\$43,498.63	\$3,624.89
Rental Tax*			2.25%	\$978.72
Total			\$44,477.35	\$3,706.45 ²
Year 3: August 1, 2015 – July 31, 2016				
Space type	Number of courses or total office sf ¹	price (sf or class)	Rent/ year	Rent/ month
Standard/Computer Classroom	26	\$450.00	\$11,700.00	\$975.00
Engineering/Science Lab	0	\$600.00	\$0.00	\$0.00
Offices (SF)	1,849	\$10.87	\$20,098.63	\$1,674.89
Common Space	26	\$450.00	\$11,700.00	\$975.00
Sub Total			\$43,498.63	\$3,624.89
Rental Tax*			2.25%	\$978.72
Total			\$44,477.35	\$3,706.45 ²
Year 4: August 1, 2016 – July 31, 2017				
Space type	Number of courses or total office sf ¹	price (sf or class)	Rent/ year	Rent/ month
Standard/Computer Classroom	100	\$450.00	\$45,000.00	\$3,750.00
Engineering/Science Lab	3	\$600.00	\$1,800.00	\$150.00
Offices (SF)	1,849	\$10.87	\$20,098.63	\$1,674.89
Common Space	103	\$450.00	\$46,350.00	\$3,862.50
Sub Total			\$113,248.63	\$9,437.39
Rental Tax*			2.25%	\$2,548.09
Total			\$115,796.72	\$9,649.73 ²
Year 5: August 1, 2017 – July 31, 2018				
Space type	Number of courses or total office sf ¹	price (sf or class)	Rent/ year	Rent/ month
Standard/Computer Classroom	100	\$450.00	\$45,000.00	\$3,750.00
Engineering/Science Lab	3	\$600.00	\$1,800.00	\$150.00
Offices (SF)	1,849	\$10.87	\$20,098.63	\$1,674.89
Common Space	103	\$450.00	\$46,350.00	\$3,862.50
Sub Total			\$113,248.63	\$9,437.39
Rental Tax*			2.25%	\$2,548.09
Total			\$115,796.72	\$9,649.73 ²

¹ If actual number of courses or office space is greater, the rent will be adjusted based on the Basic Rent Formula above.

² If actual use is greater, rent will be adjusted upward based on the Basic Rent Formula above.

*Subject to change