

CITY OF NORTHFIELD, MINNESOTA
CITY COUNCIL RESOLUTION 2018-059
APPROVING RENT SCHEDULE (EXHIBIT B) AND CORRECTIONS TO
AMENDED AND RESTATED FIRE STATION LEASE AGREEMENT

WHEREAS, the City of Northfield (the “City”) and the Northfield Area Fire And Rescue Service (“NAFRS”) entered into a Fire Station Lease Agreement, dated August 28, 2014, for the purposes of NAFRS operating and providing fire protection and rescue services within the NAFRS service area; and

WHEREAS, NAFRS is operated and managed by a joint powers board (the “NAFRS Board”); and

WHEREAS, the City Council approved the Amended and Restated Fire Station Lease Agreement between NAFRS and the City by Resolution 2018-050 on May 1, 2018; and

WHEREAS, the Rent Schedule shown in Exhibit B to the approved Amended and Restated Fire Station Lease Agreement was preliminary and was based on estimates, pending the issuance of General Obligation bonds by the City for the fire station improvement project, and the Rent Schedule was to be finalized and returned to the NAFRS Board and City Council for review and approval after the bonds had been issued; and

WHEREAS, the General Obligation bonds for the fire station improvement project have now been issued and the Rent Schedule (Exhibit B to the Amended and Restated Fire Station Lease Agreement) has been finalized and submitted to the NAFRS Board and City Council for consideration, and the same is attached hereto as Exhibit 1; and

WHEREAS, the Amended and Restated Fire Station Lease Agreement states in section 4.1 thereof that the Tenant (NAFRS) paid rent in the amount of \$10,000 on January 31, 2018 for the portion of the Lease Term through July 31, 2018, but should have stated that NAFRS had paid rent in the amount of \$20,000 for the Lease Term through January 31, 2019; and

WHEREAS, section 4.1 of the Amended and Restated Fire Station Lease Agreement further incorrectly states, in part, “... is any amount other than 72.22% for any 2-year period during the Lease Term, commencing in 2018 ...” and that clause should state “... is any amount other than 71.57% for any 2-year period during the Lease Term, commencing in 2018 ...”; and

WHEREAS, the above-noted corrections to section 4.1 of the Amended and Restated Fire Station Lease Agreement shall also be incorporated into the Amended and Restated Fire Station Lease Agreement along with the final Rent Schedule (Exhibit B to the approved Amended and Restated Fire Station Lease Agreement),

attached hereto as Exhibit 1; and

WHEREAS, the NAFRS Board approved the foregoing on May 17, 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

1. The City Council hereby approves the final Rent Schedule attached hereto as Exhibit 1, which shall be attached to and incorporated in the approved Amended and Restated Fire Station Lease Agreement, as corrected hereby, as Exhibit B thereto; and
2. Section 4.1 of the Amended and Restated Fire Station Lease Agreement shall be corrected as follows:
 - a. The first sentence of said section shall be corrected to read: "The Parties acknowledge that the Tenant has paid rent in the amount of \$20,000 on January 31, 2018 for the Lease Term through January 31, 2019"; and
 - b. The following clause in said section shall be corrected to read: "... is any amount other than ~~72.22%~~ 71.57% for any 2-year period during the Lease Term, commencing in 2018 ..."; and
3. The City Council further hereby authorizes and directs the Mayor and City Clerk to execute the Amended and Restated Fire Station Lease Agreement, including the attached Rent Schedule (Exhibit B to the approved Amended and Restated Fire Station Lease Agreement) and the corrections to section 4 thereof as contained herein.

PASSED by the City Council of the City of Northfield on this 5th day of June 2018.

ATTEST

City Clerk

Mayor

VOTE: ___ POWNELL ___ COLBY ___ DELONG___ NAKASIAN
___ NESS ___ PETERSON WHITE ___ ZWEIFEL

EXHIBIT 1

RENT SCHEDULE TO AMENDED AND RESTATED FIRE STATION LEASE
AGREEMENT (EXHIBIT B)