

RESOLUTION NO. 5509

A RESOLUTION OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING THE PURCHASE OF A PARKING GARAGE PROPERTY LOCATED AT 150 N. OREGON STREET; AUTHORIZING A PURCHASE PRICE OF \$8,793,351 AND AUTHORIZING CITY STAFF TO EXECUTE ALL AGREEMENTS AND OTHER DOCUMENTS NECESSARY TO COMPLETE THE PURCHASE.

WHEREAS, on February 23, 2017, the City Council approved the Development Agreement and Option Agreement ("Development Agreement") between the City and DT Chandler, LLC, ("Developer") which sets forth certain obligations of the parties regarding the development of City-owned property located at the southwest corner of Arizona Avenue and Chandler Boulevard, and commonly referred to as the "Overstreet" development; and

WHEREAS, pursuant to the Development Agreement, Developer constructed a five-story 113,100 square foot public parking garage located at 150 N. Oregon Street (the "Overstreet Garage") to provide parking for downtown businesses; and

WHEREAS, the City and Developer entered into a thirty-year Parking Structure Lease Agreement on April 24, 2017 (the "Parking Lease"), which allowed the City to use the Overstreet Garage for public parking in exchange for monthly lease payments, and which also contained an option for the City to purchase the garage for \$8,690,351; and

WHEREAS, the City and Developer entered into a first amendment to the Development Agreement on July 24, 2017, whereby Developer agreed to add additional architectural cladding on the garage structure in order to enhance its aesthetic quality, in exchange for an increase in the purchase option price to \$8,793,351; and

WHEREAS, the City Council finds that it is in the best interest of the City to exercise the option to purchase the Overstreet Garage for \$8,793,351.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chandler, Arizona, as follows:

Section 1. Authorizes the purchase of the Overstreet Garage from Developer for a purchase price of \$8,793,351, pursuant to the provisions of the Development Agreement and Parking Lease, including all amendments thereto;

Section 2. Authorizes the City Manager or designee to execute all agreements and other documents necessary to complete the purchase.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____ 2021.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5509 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2021, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY TA