

RESOLUTION NO. 29648

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A THIRD AMENDMENT TO WATERFRONT EVENT MANAGEMENT AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED, WITH FRIENDS OF THE FESTIVAL, INC. FOR THE EXTENSION OF THE TERM FROM JULY 1, 2018 THROUGH DECEMBER 31, 2018, IN THE AMOUNT OF TWENTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$27,500.00).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that it is hereby authorizing the Mayor to execute a Third Amendment to Waterfront Event Management Agreement, in substantially the form attached, with Friends of the Festival, Inc. for the extension of the term from July 1, 2018 through December 31, 2018, in the amount of \$27,500.00.

ADOPTED: October 9, 2018

/mem

**THIRD AMENDMENT TO WATERFRONT EVENT MANAGEMENT
AGREEMENT**

This Third Amendment to Waterfront Event Management Agreement (“Third Amendment”) is made and entered into as of the 1st day of July 2018, by and between the City of Chattanooga (“City”) and Friends of the Festival, Inc. (“FOF”) (collectively, the Parties). The Parties agree as follows:

RECITALS

- A. The Parties entered into that certain Waterfront Event Management Agreement dated October 10, 2012 (the “Agreement”);
- B. The term of the Agreement was extended by City Council Resolution No. 28341 from July 1, 2015 through June 30, 2016; and
- C. The term of the Agreement was extended by City Council Resolution No. 29352 from July 1, 2016 through June 30, 2018; and
- D. The Parties now wish to extend the term of the Agreement as provided herein.

AMENDMENT

1. Paragraph 14 of the Agreement is hereby amended to extend the term from July 1, 2018 through December 31, 2018.

2. The consideration for the services rendered by FOF in the performance of the Agreement for the extended period of July 1, 2018 through December 31, 2018 is Twenty-Seven Thousand Five Hundred and No/100 Dollars (\$27,500.00). FOF agrees that it will not perform any services for City under this Agreement after December 31, 2018.

3. The Agreement is hereby amended by extending the Joinder executed by the Chattanooga Downtown Redevelopment Corporation to include its consent to allow the Chattanooga Downtown Redevelopment Corporation to be included in the Agreement from July 1, 2018 through December 31, 2018, subject to the terms and limitations set forth in the Joinder.

CHATTANOOGA DOWNTOWN
REDEVELOPMENT CORPORATION

By: _____
DAISY MADISON, President

4. The Agreement is hereby amended by extending the Joinder executed by The RiverCity Company to include its consent to allow the RiverCity Property to be included in the Agreement from July 1, 2016 through June 30, 2018, subject to the terms and limitations set forth in the Joinder.

THE RIVERCITY COMPANY

By: _____

KIM WHITE, President

NO OTHER AMENDMENTS

Except as expressly amended herein, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed this Third Amendment as of the day and year first above written.

CITY OF CHATTANOOGA

FRIENDS OF THE FESTIVAL

By: _____

ANDY BERKE, Mayor

By: _____

D. C. Baker, Executive Director