

RESOLUTION NO. 162

AMENDING RESOLUTION NO. 60 FOR 2005 REGARDING ADDITIONAL SPACE FOR BROADWAY JOE'S AT THE CIVIC CENTER

Introduced: 5/10/10

By Civic Center Committee:

WHEREAS, By Resolution No. 60 for 2005, this Honorable Body amended a lease agreement with BPS Ventures, Inc., D/B/A Broadway Joe's of Albany by assigning retail lease space to Encore Management, LLC, and

WHEREAS, By Resolution No. 60 for 2005 also authorized a five year lease agreement with Encore Management, LLC at the sum of \$17.00 per square foot for base rent and an additional \$2.00 per square foot for common area maintenance charges commencing on July 15, 2007 and ending July 14, 2012 at an annual rent of \$59,014, payable in equal monthly installments of \$4,917.83, and

WHEREAS, Encore Management, LLC has requested that Albany County allow Broadway Joe's the use of patio space and a glass enclosure previously used as a CDTA bus stop shelter, and

WHEREAS, The Civic Center General Manager has recommended the lease amendment to add this area located near the south entrance of the restaurant for warm weather dining without charging additional rent, now, therefore be it

RESOLVED, That Resolution No. 60 for 2005 is amended to reflect that the lease agreement with Encore Management, LLC allows Broadway Joe's the use of an exterior patio space and a glass enclosure previously used by CDTA and located near the south entrance of the restaurant for warm weather dining without charging additional rent, and, be it further

RESOLVED, That the amended agreement authorization is contingent upon Broadway Joe's providing insurance policy proof that includes liability coverage for outside dining space, and, be it further

RESOLVED, That the County Attorney is authorized to approve said amended lease agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote. 5/10/10