

164-O-19

AN ORDINANCE

Authorizing the City Manager to Execute a New Lease Agreement with Enterprise Rent-A-Car for Commercial Space in the City Owned Parking Garage at 1800 Maple Avenue

WHEREAS, the City of Evanston owns certain real property located at 1800 Maple Avenue, Evanston, Illinois 60201, which is improved with a public parking garage referred to as the Maple Avenue Garage and contains two commercial storefronts at the street level (the "Property"); and

WHEREAS, Enterprise Leasing Company of Chicago, LLC, a Delaware limited liability company d/b/a "Enterprise Rent-a-Car" currently rents one of three commercial storefronts, address 1810 Maple Avenue ("Premises"), and seeks to enter into a new lease with the City in one of the other commercial spaces at 1800 Maple Avenue; and

WHEREAS, the City Council has determined that the Property is not necessary to City operations and continuing to lease the Property to Enterprise Leasing Company of Chicago, LLC is in the City's best interests,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: Pursuant to Subsection 1-17-4-1 of the Evanston City Code of 2012, as amended (the "City Code"), the City Manager is hereby authorized and

directed to execute, on behalf of the City of Evanston, a long term lease agreement with an initial term of ten (10) years and one (1), five (5) year option to renew the lease agreement, between the City of Evanston and Enterprise Leasing Company of Chicago, LLC. The Lease Agreement shall be in substantial conformity with the Lease Agreement attached hereto as Exhibit "1" and incorporated herein by reference.

SECTION 3: Pursuant to Subsection 1-17-4-2-(B) of the Evanston City Code, 2012, as amended (the "City Code"), an affirmative vote of two-thirds ($\frac{2}{3}$) of the elected Aldermen is required to accept the recommendation of the City Manager on the lease agreement authorized herein.

SECTION 4: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 7: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Ayes: 9

Nays: 0

Introduced: November 25, 2019

Adopted: November 25, 2019

Attest:

Eduardo Gomez
~~Devon Reid, City Clerk~~

Eduardo Gomez, Deputy City Clerk

Approved:

December 16, 2019

Stephen H. Hagerity
Stephen H. Hagerity, Mayor

Approved as to form:

Michelle Masoncup
Michelle Masoncup, Corporation Counsel

EXHIBIT 1
LEASE AGREEMENT