

RESOLUTION NO. R2016.93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AUTHORIZING THE MAYOR TO EXECUTE DEVELOPMENT AND LICENSE AGREEMENTS WITH LABELHORDE LLC, ARIZONA APPAREL FOUNDATION, AND ARIZONA FASHION SOURCE LLC WITH RESPECT TO THE FASHION DESIGN BUSINESS INCUBATOR PROGRAM AT THE TEMPE PERFORMING ARTS CENTER.

WHEREAS, LabelHorde LLC, Arizona Apparel Foundation, and Arizona Fashion Source LLC (“Developer”), proposes to operate a fashion design business incubator and training program at the Tempe Performing Arts Center (TPAC) located at 132 E. Sixth Street; and

WHEREAS, City and Developer now desire to enter into license and development agreements within the meaning of A.R.S. §9-500.05 to set forth their agreements regarding development of the project, and such related matters as they deem appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1: That the Mayor (or his designee) is authorized to execute Development and License Agreements (the “Development Agreement”) in substantially the form on file with the City Clerk’s Office, and to execute all other documents reasonably necessary or appropriate to effectuate the transactions contemplated in the Development Agreement or this Resolution, including without limitation those documents referenced in or attached as exhibits to the Development and License Agreements (which documents include, without limitation, schedules of performance, building plans denoting proposed uses in the facility, and other documents).

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this _____ day of _____, 2016.

Mark W. Mitchell, Mayor

ATTEST:

Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:

Judith R. Baumann, City Attorney