

**Subject:** Resolution #697 – Listing Services Agreement for Old School with Neil Walter Company

**Proposed Council Action:**

Adopt Resolution #697.

**Dept. Origin:** Mayor’s Office  
**Prepared by:** Jennifer Robertson, City Attorney’s Office  
**For Agenda of:** January 2, 2019  
**Exhibits:** Resolution #697 with Attachments

	Initial & Date
<b>Concurred by Mayor:</b>	_____
<b>Approved by City Planner:</b>	_____
<b>Approved as to form by City Atty:</b>	<u>JSR/12-28-18</u>
<b>Approved by Finance Director:</b>	_____
<b>Approved by Department Head:</b>	_____

**INFORMATION / BACKGROUND**

The City Council authority to lease real property.<sup>1</sup> The City has leased portions of the Ruston School to various entities. There is additional vacant space in the Ruston School that could be leased for office space. The City has used the commercial brokerage firm Neil Walter Company in the past for listing work.<sup>2</sup> A copy of the standard listing agreement is attached to Resolution #697. The Agreement is effective January 1, 2019 and runs through December 31, 2019. Any leased executed during the list agreement will entitle the Firm to a five percent commission, which is standard in the industry. The only revision to the standard Agreement requested by the City is to exclude any existing tenants who renew in existing spaces. If the City renews a lease with an existing tenant, the Firm would not be entitled to a commission. If the City expands the space taken by an existing tenant, then the Company would be entitled to a commission for the expanded space lease.

**FISCAL CONSIDERATION**

The listing is based on a rate of \$15/gross square foot per month and will require the City to pay a five percent commission for any executed leases.

**RECOMMENDATION / MOTION**

Approve Resolution #697.

**MOTION:** I move to approve Resolution #697 authorizing the Mayor to execute a listing agreement with Neil Walter Company substantially in the form attached hereto.

<sup>1</sup> RCW 35.27.010.  
<sup>2</sup> Resolution No. 578.

**RESOLUTION NO. 697**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RUSTON, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE A LISTING AGREEMENT FOR REAL ESTATE REPRESENTATIVE SERVICES FOR LEASING THE RUSTON SCHOOL WITH NEIL WALTER COMPANY.**

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WHEREAS, RCW 35.27.010 provides that the City Council authority to lease real property; and

WHEREAS, the City has leased portions of the Ruston School to various entities; and

WHEREAS, there is additional vacant space in the Ruston School that could be leased for office space; and

WHEREAS, Neil Walter Company is a commercial brokerage firm that is willing and able to provide leasing representation services to the City; and

WHEREAS, the City has successfully used Neil Walter Company in the past for these services and authorized a prior listing agreement in 2014 under Resolution No. 578; and

WHEREAS, the City Council finds it in the public interest to authorize the Mayor to execute the proposed Listing Agreement with Neil Walter Company in substantially the form that is attached to this Resolution as Exhibit "1";

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RUSTON, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. The Mayor is hereby authorized to execute the Listing Agreement with Neil Walter Company in substantially the form that is attached to this Resolution as Exhibit "1".

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RESOLVED this 2nd day of January, 2019.

APPROVED:

\_\_\_\_\_  
Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Judy Grams, City Clerk

FILED WITH THE CITY CLERK: \_\_\_\_\_

PASSED BY THE CITY COUNCIL: \_\_\_\_\_

RESOLUTION NO.: 697

**EXHIBIT “1”**

**LISTING AGREEMENT**

**WITH**

**NEIL WALTER COMPANY**