RESOLUTION NO. _______

A RESOLUTION AUTHORIZING THE EXECUTION OF ADDENDUM 13 TO THE ESS SOUTH CENTRAL LLC AGREEMENT TO EXTEND THE AGREEMENT THROUGH JUNE 30, 2027 AND AUTHORIZING THE MAYOR TO EXECUTE THE ADDENDUM AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE ADDENDUM

WHEREAS, Kingsport City Schools Human Resources and ESS South Central LLC desire to extend the agreement for substitute staffing services through June 30, 2027; and

WHEREAS, no changes are being made to the pay scales listed in Exhibit A of the agreement; and

WHEREAS, the Board of Education approved this action on July 14; and

WHEREAS, funding for this service is available in various accounts of the Schools General Purpose fund.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That Addendum 13 to the agreement with ESS South Central, LLC, is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, Addendum 13 to Extend the Agreement with ESS South Central, LLC, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution, said agreement being as follows:

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ADDENDUM THIRTEEN

This is an Addendum to an Agreement between **ESS South Central, LLC**, a Delaware limited liability company (the "Company") and the **Kingsport City Schools** (hereinafter referred to as "LEA" for Local Education Agency).

WHEREAS, the LEA and the Company entered into an Agreement whereby Company is to provide substitute staffing to fill positions at the request of the LEA for a period ending June 30, 2026;

WHEREAS, the Agreement provides for automatic renewals on a yearly basis; and

WHEREAS, LEA and Company are desirous of extending the term of the Agreement through June 30, 2027 with the provisions set forth below; and

WHEREAS, Section 11.1 of the Agreement provides that the Agreement may be amended as agreed between the parties and in writing and signed by the party against whom the operation of such amendment is sough to be enforced; and

Now, Therefore, based upon the exchange of good and valuable consideration between the parties, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree to modify the Agreement as follows:

1. The Term of the Agreement, as reflected in Paragraph 7, is hereby extended from July 1,

2026 through June 30, 2027;

2. Effective July 1, 2026, Exhibit “A” to the Agreement, Pricing, is amended as per the attached revised Exhibit “A”;

3. Except as specifically and explicitly set forth herein, all other terms of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first set forth below.

[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreement set out herein that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION II. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION III. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 21st day of July, 2026.

PAUL W. MONTGOMERY, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY