



## Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed  
**File created:** 7/16/2014      **In control:** Finance Committee  
**On agenda:** 7/28/2014      **Final action:** 7/30/2014  
**Title:** To authorize the Director of the Department of Finance and Management to execute a Lease Agreement between the City and New Par, dba Verizon Wireless.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/30/2014	1	CITY CLERK	Attest	
7/29/2014	1	MAYOR	Signed	
7/28/2014	1	COUNCIL PRESIDENT	Signed	
7/28/2014	1	Columbus City Council	Read for the First Time	
7/28/2014	1	Columbus City Council	Approved	Pass

**BACKGROUND:** In July 2007, the City purchased two parcels on Woodrow Avenue as the future site of the Division of Police Property Room and Crime Lab. The parcel containing a fenced parking lot, identified as Franklin County PID 010-003108, included as part of the purchase, a long term (20 year) cell tower lease assumed by the City assumed. The leasehold estate contains a cellular telephone tower operated by New Par, a Delaware partnership, dba Verizon Wireless (Verizon). The tower and associated maintenance and equipment building are situated in a fenced area containing approximately 1,792 square feet located at the southwest corner of the City's parking lot that have been located on the property since 1994. The City issued a Certificate of Zoning Clearance for the site and tower construction on May 4, 1994.

The existing lease with New Par is in its final term thus necessitating a new lease so Verizon can continue to provide cellular services from this tower. This legislation authorizes the Director of the Department of Finance and Management to execute a new lease with New Par, a Delaware partnership, for the Woodrow Avenue site.

The new lease will be for an initial term of five (5) years and include two renewal terms, each term of five years in length, and include terms that provide the City the ability to place communication equipment from its radio network on the tower at no cost; base rent at \$12,000.00 for the first lease year with annual rent escalations of three percent per year over the term of the lease; and revenue sharing with the City at twenty percent of the income from leases to subtenants should Verizon allow other tenants to locate on the tower.

**Fiscal Impact:** Base rent for the first lease year will be \$12,000.00.

To authorize the Director of the Department of Finance and Management to execute a Lease Agreement between the City and New Par, dba Verizon Wireless.

**WHEREAS**, as part of the City's purchase of two parcels located on Woodrow Avenue in July 2007, the City assumed a cellular tower lease with New Par, a Delaware partnership, dba Verizon Wireless, for a portion of the parcel commonly known as Franklin County Tax Parcel 010-003108; and

**WHEREAS**, the existing lease with New Par will expire on August 31, 2014 thus necessitating the need for a new lease agreement; and

**WHEREAS**, New Par wishes to enter into a new lease agreement with the City to allow Verizon Wireless to cellular network to continue to operate from this location; and

**WHEREAS**, the Department of Finance and Management has determined that it in the City's best interest to enter into a new lease agreement with New Par now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of the Department of Finance and Management be, and hereby is, authorized to execute those documents as prepared and approved by the Department of Law, Division of Real Estate, necessary to enter into a Lease Agreement with New Par, a Delaware partnership, dba Verizon Wireless, for a portion of the property identified as Franklin County Tax Parcel 010-003108 for use of the site to house a cellular communication tower and associated maintenance and equipment building.

**SECTION 2.** That the terms and conditions of the Lease Agreement shall contain terms acceptable to the City and be in a form approved by the City Attorney's Office and shall include the following: an initial term of five (5) years with two renewal terms, each term being five years in length; terms that provide the City the ability to place communication equipment from its radio network on the tower at no cost; base rent at \$12,000.00 for the first lease year with annual rent escalations of three percent per year over the term of the lease; and revenue sharing with the City at twenty percent of the income from leases to subtenant should Verizon allow other tenants to locate on the tower.

**SECTION 3.** That this ordinance is shall take effect and be in force from the earliest period allowed by law.