



## Legislation Details (With Text)

**File #:** 2043-2024      **Version:** 1

**Type:** Ordinance      **Status:** Council Office for Signature

**File created:** 7/2/2024      **In control:** Finance & Governance Committee

**On agenda:** 7/15/2024      **Final action:**

**Title:** To authorize the Director of the Department of Finance and Management to execute those documents necessary to consent to the amendment of the existing sublease agreement between the Columbus Zoological Park Association and Zoombezi Bay, LLC; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/15/2024	1	Columbus City Council		

**BACKGROUND:** The Columbus Zoological Park Association (“Zoo”) leases land from the City and Franklin County Board of Commissioners (“Commissioners”) to operate the Columbus Zoo. Under the lease, the Zoo may sublease portions of the property with the consent of the City and County. The Zoo entered into a sublease agreement for a portion of the land with Zoombezi Bay LLC, an Ohio limited liability company (“Zoombezi Bay”), on January 1, 2008, for the operation of the Zoombezi Bay Water Park. The Zoo and Zoombezi Bay (“Parties”) have agreed to amend the existing sublease to allow a portion of the sublease to be subleased to the Delaware County Finance Authority, for the purposes of financing a new water slide at Zoombezi Bay. The Delaware County Finance Authority will then lease the portion of property back to Zoombezi Bay. The Recreation and Parks Department and the Department of Finance and Management have reviewed the proposed amendment to the sublease and have no objection to the City consenting to the sublease.

**CONTRACT COMPLIANCE:** Not applicable.

**FISCAL IMPACT:** Not applicable

**EMERGENCY JUSTIFICATION:** emergency action is requested in order to immediately execute the necessary documents to consent to the amendment of the sublease to meet an imminent, summer deadline so that the Parties maybe begin operating under the amended terms as soon as possible which will preserve the public peace, health, property, safety, and welfare.

To authorize the Director of the Department of Finance and Management to execute those documents necessary to consent to the amendment of the existing sublease agreement between the Columbus Zoological Park Association and Zoombezi Bay, LLC; and to declare an emergency. (\$0.00)

**WHEREAS,** under the existing lease between the City, the Franklin County Board of Commissioners (“Commissioners”), and the Columbus Zoological Park Association (“Zoo”), the Zoo may sublease, portions of the property only with the City and County’s consent, which may not be unreasonably withheld; and

**WHEREAS,** the Zoo has an existing sublease agreement for a portion of the land with Zoombezi Bay LLC, an Ohio limited liability company for the operation of a water park; and

**WHEREAS**, the Zoo and Zoombezi Bay (“Parties”) have agreed to amend the sublease terms to allow for a portion of the sublease to be subleased to the Delaware County Finance Authority for the purpose of financing a new water slide; and

**WHEREAS**, the Recreation and Parks Department and the Department of Finance and Management have reviewed the amended sublease and have no objection to consenting to the sublease; and

**WHEREAS**, an emergency exists in the usual daily operations of the Department of Finance and Management and it is immediately necessary to authorize the director to execute those documents necessary for the City's consent to the amended sublease so the parties may begin operating under the amended terms as soon as possible in order to meet an imminent, summer deadline, all for the immediate preservation of public health, peace, property, and safety, **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, on behalf of the City, be and hereby is, authorized to execute those documents, as approved by the City Attorney’s Office, necessary to provide the City's consent to the amendment to the sublease agreement between the Columbus Zoological Park Association and Zoombezi Bay, LLC.

**SECTION 2.** That this ordinance, for the reasons stated in the preamble, which are made a part of this ordinance and fully incorporated for references if rewritten, is declared to be an emergency measure and shall take effect and be in force from and after this ordinance’s adoption and approval by the Mayor or ten (10) days after its adoption if the Mayor neither approves nor vetoes this ordinance.