



Legislation Details (With Text)

File #: 2495-2012 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/6/2012 **In control:** Finance Committee

On agenda: 11/19/2012 **Final action:** 11/21/2012

Title: To authorize the Director of the Department of Finance and Management to execute those documents necessary to amend that certain Lease Agreement with the Board of Commissioners of Franklin County, dated April 1, 2009, and as amended by the First Amendment To Lease Agreement, dated January 31, 2012, for the Franklin County Municipal Court located at 375 S. High Street to extend the County's term of occupancy to September 30, 2014 and to reduce and redefine the space allocated as the "Landlord's Reserved Premises"; and to declare an emergency.

Sponsors: Priscilla Tyson, Michelle M. Mills

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/21/2012	1	CITY CLERK	Attest	
11/20/2012	1	ACTING MAYOR	Signed	
11/19/2012	1	COUNCIL PRESIDENT	Signed	
11/19/2012	1	Columbus City Council	Approved	Pass

Background: The City and the Board of Commissioners of Franklin County entered into that certain Lease Agreement, dated April 1, 2009, and as amended by First Amendment To Lease Agreement, dated January 31, 2012 (the "Agreement"), for that office building located at 375 S. High Street and occupied by the Franklin County Municipal Court. The Agreement reserves office space for the County's occupancy in the building on floors 5 and 6 and the basement level, defined as the "Landlord's Reserved Premises". Per the terms of the Agreement, the County is required to vacate and deliver the "Landlord's Reserved Premises" to the City by no later than December 31, 2012.

The County has requested that the City grant an extension of the County's term of occupancy until September 30, 2014 to allow for the completion construction required for renovation of office space in the County's building located at 369 S. High Street to house the functions now located at 375 S. High Street. In order to accommodate an upgrade in the building's electrical switch gear, the City need additional space that is currently part of the Landlord's Reserved Premises and requires modification of the Agreement to reduce and redefine the space assigned as the "Landlord's Reserved Premises".

This legislation authorizes the Director of Finance and Management to execute those documents necessary to amend that certain Lease Agreement with the Board of Commissioner's of Franklin County, dated April 1, 2009, and as amended by the First Amendment To Lease Agreement, dated January 31, 2012 for the Franklin County Municipal Court located at 375 S. High Street to extend the County's term of occupancy to September 30, 2014 and to reduce and redefine the space allocated as the "Landlord's Reserved Premises". All other terms will remain unchanged.

Fiscal Impact: None.

Emergency Justification: Emergency action is requested to allow the lease amendment to be executed and effective by December 31, 2012 so that the County's occupancy in the Franklin County Municipal Court building may continue

without interruption.

To authorize the Director of the Department of Finance and Management to execute those documents necessary to amend that certain Lease Agreement with the Board of Commissioners of Franklin County, dated April 1, 2009, and as amended by the First Amendment To Lease Agreement, dated January 31, 2012, for the Franklin County Municipal Court located at 375 S. High Street to extend the County's term of occupancy to September 30, 2014 and to reduce and redefine the space allocated as the "Landlord's Reserved Premises"; and to declare an emergency.

WHEREAS, the City and Board of Commissioners of Franklin County desire to amend that certain Lease Agreement, dated April 1, 2009, and as amended by the First Amendment To Lease Agreement, dated January 31, 2012, for the office building located at 375 S. High Street, known as the Franklin County Municipal Court Building; and

WHEREAS, it is necessary for the Director of Finance and Management to immediately enter into a second lease amendment with the Board of Commissioners of Franklin County to redefine the "Landlord's Reserved Premises" to exclude the basement space to be allocated to accommodate an upgrade of the building's electrical switch gear and to extend the County's term of occupancy of the "Landlord's Reserved Premises" until September 30, 2014; and

WHEREAS, an emergency exists in the usual daily operations of the City that it is necessary for the Director of Finance and Management to immediately enter into a second lease amendment with the Board of Commissioners of Franklin County so that the County's occupancy in the building may continue without interruption thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

SECTION 1. That the Director of Finance and Management be, and hereby is, authorized to execute those documents, as approved by the Department of Law, Division of Real Estate, necessary to amend that certain Lease Agreement, dated April 1, 2009 to enter into a Second Amendment To Lease Agreement to redefine the "Landlord's Reserved Premises" to exclude the basement space to be allocated to the City to accommodate an upgrade of the building's electrical switch gear and to extend the County's term of occupancy of the "Landlord's Reserved Premises" until September 30, 2014.

SECTION 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.