



Legislation Text

File #: 2674-2013, **Version:** 1

Background: Since July 2005, the Juvenile Bureau of the Columbus Division of Police has been co-located at 655 Livingston Avenue with other area agencies at The Center for Child and Family Advocacy at Nationwide Children's Hospital dba The Center for Family Safety and Healing (hereinafter "CCFA") working in concert with Franklin County Children Services, the Franklin County Prosecutor, the Franklin County Sheriff, and the Columbus Coalition Against Family Violence to provide services in a collaborative manner for assessment, treatment, protection, investigation and prosecution of child abuse and for the support and treatment for domestic violence victims.

The terms of the City's occupancy and rent are defined by Operating Agreement that requires the City to annually reimburse CCFA for the City's pro rata share of the building operating expenses for the building housing The Center for Family Safety and Healing. The Operating Agreement requires CCFA to submit a reconciliation of expenses within 60 days following the end of a lease year to confirm that the City's estimated pro rata share of expenses paid is correct and matches the actual building expenses incurred for the term. CCFA was unable to submit its reconciliation and invoice for the 2012 operating expenses until September 25, 2013 thereby delaying the ability to determine the City's 2013 rent as its pro rata share of expenses in order to finalize a new Operating Agreement for the 2013 term.

Both the present format of the Operating Agreement and its requirement that determination of the annual rent for the next term be based on the previous calendar year expenses have presented a number of operational issues for both CCFA and the City. A new agreement was delayed in order to resolve several issues with the terms contained in the original agreement.

The City and CCFA have agreed to execute a new agreement structured as a lease rather than an operating agreement, and after the initial term, commencing on March 1st rather than January 1st with annual rent based upon the City's reimbursement of its pro rata share of the building operating expenses. The rate for the initial term is based on the current expenses and is a fixed rate and the rent for each subsequent renewal term has been set at a fixed rent rate. The change of commencement date for the subsequent renewals necessitates that the first term of the lease be for a 14 month period (January 1, 2013 through February 28, 2014) with each subsequent renewal period consisting of a twelve (12) month term commencing on March 1st.

This legislation authorizes the Director of Finance and Management to execute those documents necessary to enter into a new lease with The Center for Child and Family Advocacy at Nationwide Children's Hospital dba The Center for Family Safety and Healing for the lease of 3,328 square feet of office space located at 655 Livingston Avenue, Columbus, Ohio for an initial term commencing January 1, 2013 and terminating February 28, 2014 with four (4) consecutive automatic one (1) year renewal terms thereafter, each subject to the appropriation of funds by City Council, and the certification of funds availability by the City Auditor.

Emergency action is requested so that the Juvenile Bureau of the Columbus Division of Police may continue occupancy without interruption.

Fiscal Impact: This ordinance authorizes the expenditure of \$42,582.00 for rent from January 1, 2013 through February 28, 2014. The funds necessary to pay the rent expense are budgeted within the 2013 Finance and Management Director's operating budget. (\$42,582.00)

To authorize the Director of Finance and Management to execute those documents necessary to enter into a new lease agreement between the City of Columbus and The Center for Child and Family Advocacy at Nationwide Children's Hospital dba The Center for Family Safety and Healing for a fourteen month initial term and provide for four (4)

automatic consecutive one-year renewal terms thereafter for the lease of 3,328 square feet of office space located at 655 E. Livingston Avenue, Columbus, Ohio; to authorize the expenditure of \$42,582.00 from the General Fund; and to declare an emergency. (\$42,582.00)

WHEREAS, the City desires to enter into a Lease Agreement with The Center for Family Safety and Healing at Nationwide Children's Hospital, for offices for the Juvenile Bureau of the Columbus Division of Police; and

WHEREAS, the parties have agreed that the rent consideration for the initial fourteen month term (January 1, 2013 through February 28, 2014) of the lease shall be \$42,582.00 payable in a single payment for the term; and

WHEREAS, the rental funds are budgeted and available within the 2013 Finance and Management Director's operating budget; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to authorize the Director of Finance and Management to execute those documents necessary to enter into Lease Agreement with The Center for Child And Family Advocacy at Nationwide Children's Hospital dba The Center for Family Safety and Healing for the lease of 3,328 square feet of office space located at 655 Livingston Avenue for an initial fourteen month term with four (4) automatic consecutive one-year renewal periods thereafter, each renewal period being subject to the appropriation of funding by City Council and certification of funds availability by the City Auditor, 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 approved by the Department of Law, Division of Real Estate necessary to enter into a Lease Agreement, for a fourteen (14) month term by and between the City of Columbus, and The Center for Child And Family Advocacy at Nationwide Children's Hospital dba The Center for Family Safety and Healing for the lease of 3,328 square feet of office space located at 655 E. Livingston Avenue, Columbus, Ohio.

SECTION 2. That the terms and conditions of the amendment and extension shall be in form approved by the City Attorney's Office, Real Estate Division and shall include the following:

- a) The first term of this agreement shall be for a fourteen (14) month term commencing on January 1, 2013 and terminating on February 28, 2014, and automatically renewing thereafter for four (4) consecutive additional one (1) year periods, at an established rent schedule, with each subsequent term commencing March 1st and being subject to the appropriation of funding by City Council and certification of funds availability by the City Auditor.
- b) The rent for the first term of the lease shall be \$42,582.00, payable in single installment.
- c) Such other terms and conditions as agreed to and approved by the City Attorney.

SECTION 3. That the expenditure of \$42,582.00, or so much thereof that may be necessary in regard to the action authorized in Section 1, be and is hereby authorized and approved as follows:

Division: 45-51
Fund: 10
OCA Code: 450037
Object Level: 3:3301
Amount: \$42,582.00

SECTION 4. That the City Auditor is authorized to make any accounting changes necessary to ensure that this contract is

properly accounted for and recorded accurately on the City's financial records. That the City Auditor is authorized to make any changes to revise the funding source for any contract or contract modifications associated with this ordinance

SECTION 5. 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 passage if the Mayor neither approves nor vetoes the same.