



## Legislation Text

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**File #:** 0073-2009, **Version:** 1

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**Background:** The City, ("Lessee") desires to enter into a lease agreement with Viking Properties, ("Lessor"), for the lease of 36,879 square feet of office and warehouse space located at 2028 Williams Road, Columbus, Ohio 43207. The aforementioned building is being used by the Division of Fire for its warehousing operations.

The Division of Fire originally occupied this space in November, 2002, as authorized under Ordinance #1609-2002, passed on October 21, 2002 for an initial term and three (3) one-year renewal terms. A second lease agreement was authorized under Ordinance #0587-2006, passed on April 5, 2006 authorizing an initial term and two (2) one-year renewal terms. The current lease expires January 31, 2009 and has no remaining renewal options. A new lease is now required as the Division of Fire desires to continue utilizing the Williams Road building for its warehousing operations.

This legislation authorizes the Director of Finance and Management to execute those documents necessary to enter into a one (1) year lease agreement with Viking Properties including two (2) automatic one-year renewal periods, each period being subject to the appropriation of funding by City Council, and to expend funds for the payment of rent for the one (1) year initial term beginning February 1, 2009 and ending January 31, 2010 to allow for the continued occupancy of this office and warehouse space.

Viking Properties Contract Compliance Number is 31-1358552, with an expiration date of 01/21/2011.

**Emergency action** is requested to provide funding to coincide with the beginning of the new lease agreement.

**Fiscal Impact:** This ordinance authorizes the expenditure of \$108,793.05 from the Special Income Tax Fund appropriated pursuant to Ordinance #0087-2009.

To authorize the Director of Finance and Management to execute those documents necessary to enter into a one (1) year lease agreement between the City of Columbus and Viking Properties for the lease of 36,879 square feet of office and warehouse space located at 2028 Williams Rd, and to authorize the expenditure of \$108,793.05 from the Special Income Tax Fund; and to declare an emergency. (\$108,793.05).

WHEREAS, the City, ("Lessee"), desires to enter into a lease agreement with Viking Properties, ("Lessor"), for the lease of 36,879 square feet of office/warehouse space located at 2028 Williams Road, Columbus, Ohio 43207; and

WHEREAS, the aforementioned building is the site of the Division of Fire's warehouse operations; and

WHEREAS, the parties have agreed that the rent consideration for the term of the lease shall be \$108,793.05 payable in quarterly installments of \$27,198.26; and

WHEREAS, the City appropriated rental funds pursuant to Ordinance #0087-2009; and

WHEREAS, it is necessary to authorize the expenditure of rental funds; 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 a one (1) year lease agreement including two (2) automatic renewal options, and to expend funds for the payment of rent for the one (1) year initial term to provide funding to coincide with the beginning of the new lease agreement, 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 one (1) year lease agreement by and between the City of Columbus, ("Lessee"), and Viking Properties ("Lessor") for the lease of 36,879 square feet of office/warehouse space located at 2028 Williams Road, Columbus, Ohio 43207.

**Section 2.** That the terms and conditions of the lease shall be in form approved by the City Attorney's Office and shall include the following:

- a) The annual rent shall be \$108,793.05, payable in quarterly installments of \$27,198.26.
- b) The term of this Lease shall be for a one (1) year period commencing on 02/01/2009 and terminating on 01/31/2010, and automatically renewing for two (2) additional one (1) year periods, each period being subject to the appropriation of funding by City Council, and commencing immediately upon the last day of the initial term or any subsequent term.
- c) Such other terms and conditions as agreed to and approved by the City Attorney.

**Section 3.** That the Director of Finance and Management be, and hereby is, authorized to expend \$108,793.05 for the one (1) year term of the Lease commencing on 02/01/2009 and terminating on 01/31/2010.

**Section 4.** That the expenditure of \$108,793.05, 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: 430  
OCA Code: 430459  
Object Level: 3:3301  
Amount: \$108,793.05

**Section 5.** 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 6.** 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.