



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

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On agenda: 2/10/2020 **Final action:** 2/13/2020

Title: To authorize the Director of the Recreation and Parks Department to execute those documents necessary to consent to the Amendment to existing Sublease Agreement between The Columbus Zoological Park Association and Zoombezi Bay LLC; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

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Attachments:

Date	Ver.	Action By	Action	Result
2/13/2020	1	CITY CLERK	Attest	
2/12/2020	1	MAYOR	Signed	
2/10/2020	1	COUNCIL PRESIDENT	Signed	
2/10/2020	1	Columbus City Council	Approved	Pass

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 City and County’s consent. The Zoo entered into a sublease agreement with Zoombezi Bay LLC, an Ohio limited liability company (“Zoombezi Bay”), on January 1, 2008, for a portion of the land to operate the Zoombezi Bay Water Park. The Zoo and Zoombezi Bay (“Parties”) have agreed to amend the existing sublease. The Recreation and Parks Department has reviewed the proposed Amendment to Sublease Agreement and has no objection.

FISCAL IMPACT: Not applicable.

CONTRACT COMPLIANCE: Not applicable.

EMERGENCY JUSTIFICATION: Emergency action is requested in order to immediately execute the necessary documents to amend the sublease so the parties may 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 Recreation and Parks Department to execute those documents necessary to consent to the Amendment to 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 and amend subleased portions of the property 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 (“Zoombezi Bay”); and

WHEREAS, the Zoo and Zoombezi Bay (“Parties”) have agreed to amend the sublease terms; and

WHEREAS, the Recreation and Parks Department has reviewed the amended sublease between the Parties and has no objection; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Recreation and Parks in that 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, for the immediate preservation of the public health, peace, property and safety; and **now, therefore:**

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

SECTION 1. That the Director of the Recreation and Parks Department be and hereby is authorized to execute those documents necessary, as approved by the City Attorney’s Office, Real Estate Division, to provide the City’s consent to the Amendment to 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 reference as 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.