



Legislation Text

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The Recreation and Parks Department desires to enter into a lease agreement with the Driving Park Youth Baseball League for the use of four (4) baseball diamonds and one (1) concession structure situated on the property known as Driving Park, 1100 Roads Avenue, Columbus, Ohio 43206. Terms of the lease shall be for a period of one year beginning July 1, 2008 through July 1, 2009 and shall be automatically renewable for an additional two (2) years pending agreement by both parties.

The Driving Park Youth Baseball League has agreed to pay to the Recreation and Parks Department the fee of two hundred (\$200) dollars per year for use of the concession stand and fifty (\$50) per year, per diamond for a total of two hundred (\$200) dollars for lease of four (4) ball diamonds. In addition, the Driving Park Youth Baseball League will provide enhancements to the concession stand, fields and surrounding parkland. All work shall be approved by and completed to the satisfaction of the Recreation and Parks Department.

Emergency action is requested so that occupancy can be put under a lease for legal and liability purposes.

To authorize the Director of Recreation and Parks to enter into a lease agreement with the Driving Park Youth Baseball League for the use of four (4) baseball diamonds and one (1) concession building for the property known as Driving Park, 1100 Rhoads Avenue, Columbus, Ohio 43206 for a period of one year with a two year renewal option, to waive the competitive bidding provisions of the Columbus City Code and to declare an emergency. (\$0.00)

WHEREAS, the City of Columbus owns certain real property commonly known as Driving Park, 1100 Rhoads Avenue, Columbus, Ohio 43206; and

WHEREAS, on behalf of the City of Columbus, Ohio, the Director of Recreation and Parks desires to enter into a lease agreement with the Driving Park Youth Baseball League for the use of four (4) baseball diamonds and one (1) concession structure; and

WHEREAS, it is in the best interest of the Recreation and Parks Department to waive the competitive bidding requirements of the Columbus City Code (See Attachment Bid Waiver - Ord.0945-2008.doc) ; and

WHEREAS, terms of the lease shall be for a period of one (1) year commencing July 1, 2008 through July 1, 2009 and shall be automatically renewable for an additional two (2) years pending agreement by both parties; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department, in that is immediately necessary to authorize the Director to enter into a lease agreement with the Driving Park Youth Baseball League so that occupancy can be put under a lease for legal and liability purposes 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 Recreation and Parks is hereby authorized to execute those documents approved by the Department of Law, Division of Real Estate, necessary to enter into a lease agreement by and between the City of Columbus, Ohio and the Driving Park Youth Baseball League for four (4) baseball diamonds and one (1) concession structure located within Driving Park, 1100 Rhoads Avenue, Columbus, Ohio 43206.

Section 2. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive the requirements of Columbus City Codes (1959) Revised, Section 328.01 and Sections 329.29 and 329.29.1 to the extent that they may

apply to this transaction with regards to this ordinance only.

Section 3. That the terms and conditions of the lease shall be approved in form by the City Attorney's office and shall include the following:

- a). That the lease shall be for a period of one (1) year commencing July 1, 2008 through July 1, 2009 and shall be automatically renewable for an additional two (2) years.
- b). That the Lessee shall pay an annual fee of \$200 for use of the concession stand; and \$50 per diamond for the use of four (4) diamonds for a total fee of \$200.
- c). Such other terms and conditions as are required and/or approved by the City Attorney's office.

Section 4. 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.