



Legislation Text

File #: 0409-2014, **Version:** 1

BACKGROUND: The City currently leases approximately 1,614 square feet of office space at 1186 W. Broad Street for the Department of Development, Franklinton Pride Center. Due to the deaths of the property owners Tom and Agnes Zanetos, ownership of the property has passed to the estate in the name of “Tom Zanetos 12/22/2004 Amended and Restated Trust” with Gregory Zanetos, as the acting successor trustee.

The current lease will expire on March 31, 2014. Until all estate matters can be dealt with and concluded, it is in the best interest of the City and the Zanetos family to extend the current lease for one additional year under the same terms and conditions. This legislation authorizes the Director of Finance and Management to execute those documents necessary to assign of the existing Lease Agreement dated July 1, 2009 between the City and Tom Zanetos and Agnes Zanetos, to the “Tom Zanetos 12/22/2004 Amended and Restated Trust” (Contract Compliance #467132497, 1/28/2016), to extend the term of the Lease, and authorizes the appropriation and expenditure of \$11,895.24 from the 2014 Special Income Tax Fund for payment of the rental cost associated with the one (1) year lease term beginning April 1, 2014.

Fiscal Impact: This ordinance appropriates and expends \$11,895.24 from the 2014 Special Income Tax Fund for payment of the rental cost for the office space located at 1186 W. Broad for the extended one year term.

Emergency Action: Emergency action is requested in order to allow the Franklinton Pride Center to continue offering programs and services to the community without interruption.

To authorize the Director of the Department of Finance and Management to execute those documents necessary to assign a Lease Agreement between the City and Tom Zanetos and Agnes Zanetos to the “Tom Zanetos 12/22/2004 Amended and Restated Trust” (Contract Compliance Number 467132497); to extend the lease under the same terms and conditions for one (1) year; to appropriate and expend \$11,895.24 from the 2014 Special Income Tax Fund for payment of rent in connection to the lease of office space located at 1186 W. Broad Street; and to declare an emergency. (\$11,895.24)

WHEREAS, the City and Tom Zanetos and Agnes Zanetos entered into a Lease Agreement dated July 1, 2009 for the rental of approximately 1,614 square feet of office space, located at 1186 W. Broad Street, Columbus, Ohio 43222; and

WHEREAS, Tom Zanetos and Agnes Zanetos have both passed away, and all right, title and interest in, to and under the Lease has transferred to the Tom Zanetos 12/22/2004 Amended and Restated Trust; and,

WHEREAS, it is necessary to authorize the assignment of all present and future business conducted by the City of Columbus under the Lease with Tom Zanetos and Agnes Zanetos to the Tom Zanetos 12/22/2004 Amended and Restated Trust; and,

WHEREAS, the City and Tom Zanetos 12/22/2004 Amended and Restated Trust, the successor in interest to Tom Zanetos and Agnes Zanetos, desire to further extend the Lease under the same terms and conditions as the previous term for one (1) additional year; and

WHEREAS, all other terms and conditions will remain the same, including rent; and

WHEREAS, funding is provided for and available in the 2014 Special Income Tax Fund for the payment of the one (1) year extension of the Lease; and

WHEREAS, it is necessary to authorize the appropriation and expenditure of \$11,895.24 from the 2014 Special Income Tax Fund for the one (1) year extension, beginning April 1, 2014 and ending March 31, 2015; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, in that it is necessary to immediately authorize the Director of the Department of Finance and Management to execute those documents necessary enter into an Amendment to Lease Agreement; and to authorize the appropriation and expenditure of \$11,895.24 from the 2014 Special Income Tax Fund for the timely payment of rent for the one (1) year extension to allow the Franklinton Pride Center to continue its mission without delay thereby preserving the public health, property, safety, and welfare; now therefore:

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

SECTION 1. That the Director of the Department 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 enter into an Amendment To Lease Agreement to assign the Lease dated July 1, 2009 with Tom Zanetos and Agnes Zanetos, for office space located at 1186 W. Broad Street and to extend the term of the Lease.

SECTION 2. That the terms and conditions of the Amendment To Lease Agreement shall be in a form approved by the City Attorney's Office and shall include the following:

- a) Assignment of the Lease for office space located at 1186 W. Broad Street to the Tom Zanetos 12/22/2004 Amended and Restated Trust as successor in interest to Tom Zanetos and Agnes Zanetos.
- b) Extend the Lease for one (1) year, beginning on April 1, 2014.
- c) That all other terms, conditions, covenants, and provisions of the Lease shall remain unchanged and in full force and effect.

SECTION 3. That to pay the cost of the one (1) year lease extension, the appropriation and expenditure of \$11,895.24, or so much thereof as may be necessary, is hereby authorized and approved as follows:

Division: 45-51

Fund: 430

OCA Code: 430459

Object Level 1: 03

Object Level 3: 3301

Amount: \$11,895.24

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 the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 6. That for 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.