



## Legislation Text

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**File #:** 0929-2022, **Version:** 1

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**BACKGROUND:** This ordinance authorizes the appropriation of \$1,397,877.00 and the expenditure of \$919,554.00 within the Special Income Tax Fund and authorizes the Department of Finance and Management, Real Estate Management Office, to pay rent for six (6) existing lease agreements for office space leased for the benefit of the Municipal Court, the Department of Development, the Department of Neighborhoods, the Department of Public Safety, and for rent associated with an internal Memorandum of Understanding with the Department of Public Utilities for the use of office space by other city departments at 1250 Fairwood. Four of the lease agreements and the MOU agreement have automatic renewal options that are subject to appropriation and funding by Council for payment of the associated rents. This ordinance also authorizes the Director of the Department of Finance and Management to execute those documents necessary to execute a Second Amendment Lease Agreement with YTD Sinclair Road, LLC, to extend the term for five (5) consecutive terms of one (1) year each commencing August 1, 2022 and amend other related terms as necessary. This legislation is presented as emergency measure in order for the City's occupancy of these office locations to continue uninterrupted and allow for the timely payment of rent associated with these leases.

**Fiscal Impact:** This ordinance authorizes the appropriation of \$1,397,877.00 and the expenditure of \$919,554.00 from the Special Income Tax Fund for payment of rent associated with leases and an internal Memorandum of Understanding for the 2022-2023 renewal term. The remaining appropriation will be expended by future ordinances. \$1,397,877.00 is budgeted within the 2022 Special Income Tax Fund for the Department of Finance and Management, Real Estate Management Office to pay rent for leased office space.

**Emergency Action:** Emergency action is requested to allow for the timely payment of rent associated with the 2022 term for each lease and the Memorandum of Understanding.

To authorize the Finance and Management Director, on behalf of the Real Estate Management Office, to pay rent associated with six lease agreements for office space and for an internal Memorandum of Understanding for the 2022-2023 term; to authorize the appropriation of \$1,397,877.00 and the expenditure of \$919,554 from the Special Income Tax Fund and to authorize the amendment and extension of the Lease Agreement the City has with YTD Sinclair Road, LLC; and to declare an emergency. (\$1,397,877.00)

**WHEREAS,** the Finance and Management Department, Real Estate Management Office, is responsible for leasing commercial space for use in City operations; and

**WHEREAS,** City Council previously authorized a Memorandum of Understanding and five (5) lease agreements with automatic renewal terms with each renewal term being subject to the appropriation of rental funds and certification of funds availability by the City Auditor; and

**WHEREAS,** it is necessary to extend an existing lease agreement with YTD Sinclair Road, LLC and amend other related terms as necessary; and

**WHEREAS,** funding for the payment of the rent associated with leases is provided for within the 2022 Special Income Tax Fund; and

**WHEREAS,** it is necessary to appropriate funds for the payment of rents associated with these lease agreements and

Memorandum of Understanding from the Special Income Tax Fund; and

**WHEREAS**, it is necessary to expend funds for the lease with Franklin County Commissioners for the Municipal Court authorized by City Council Ordinance 1774-2008; the lease with GGH, LLC authorized by City Council Ordinance 0703-2021; the tenth renewal of a lease with Center for Child and Family Advocacy at Nationwide Children's Hospital dba, The Center for Family Safety and Healing authorized by City Council Ordinance 0426-2018; the twelfth renewal of a lease with YDT Sinclair Road LLC authorized by City Council Ordinances 0372-2010, 1334-2017; the fifteenth renewal of a lease with Columbus Downtown Development Corporation authorized by City Council Ordinance 1121-2007; the sixth renewal of a lease with Integrated-Fairfield Holdings, LLC authorized by City Council Ordinance 0555-2021; and the fourth year of a five (5) year term of an internal Memorandum of Understanding with the Department of Public Utilities; and

**WHEREAS**, an emergency exists in the usual daily operations of the Finance and Management Department, Real Estate Management Office, in that it is immediately necessary to authorize the appropriation and expenditure of funds for the payment of rent for the 2022-2023 term for six (6) lease renewals and a Memorandum of Understanding in order to allow for the timely payment of rents to ensure that City operations continue uninterrupted, 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 Finance and Management Director, on behalf of the Real Estate Management Office, is hereby authorized to expend funds for the payment of rent for existing lease agreements with Franklin County Commissioners, Center for Child and Family Advocacy at Nationwide Children's Hospital dba, The Center for Family Safety and Healing, YDT Sinclair Road LLC, Columbus Downtown Development Corporation, Integrated-Fairfield Holdings, LLC, GGH, LLC and an internal Memorandum of Understanding with the Department of Public Utilities for the lease of office space.

**SECTION 2.** That the Finance and Management Director be, and hereby is, authorized to execute a Second Amendment To Lease Agreement, as prepared and approved by the Department of Law, Division of Real Estate, by and between the City of Columbus and YDT Sinclair Road, LLC to provide for five (5) additional automatic renewals, each one-year in length, with each renewal subject to the annual authorization of rental funds by City Council and certification of funds availability by the City Auditor and to amend other related terms as necessary.

**SECTION 3.** That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ended December 31, 2022, the sum of \$1,397,877.00 is appropriated in Fund 4430 Special Income Tax Fund in Object Class 03, Lease and Rental of Property or Building, per the account codes in the attachment to this ordinance.

**SECTION 4.** That the expenditure of \$919,554.00, or so much thereof as may be needed, is hereby authorized in Fund 4430 Special Income Tax Fund in Object Class 03, Lease and Rental of Property or Building, per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That the monies appropriated in SECTION 3 shall be paid upon order of the Finance and Management Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 6.** 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 record. The City Auditor is authorized to make any changes to revise the funding source for any contract or contract modification associated with this ordinance.

**SECTION 7.** 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 approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

