



Legislation Details (With Text)

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**Title:** Amending Ordinance No. 206-19 to increase the amount authorized for special assessment for energy efficiency improvements to the Imagination Station city-owned facility; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A - redline of change, 2. Audio: Agenda Review 1/21/2020

Date	Ver.	Action By	Action	Result
1/28/2020	1	City Council		
1/28/2020	1	City Council		
1/28/2020	1	City Council		

Amended Imagination Station Theatre Project  
 Economic Development  
 B. Sehlhorst (x1692)  
 (Revised)

**Amending Ordinance No. 206-19 to increase the amount authorized for special assessment for energy efficiency improvements to the Imagination Station city-owned facility; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

Imagination Station is working with private funders and the Ohio Facilities Construction Commission to construct an approximately 8,200 sq. ft addition to the existing facility for the development of a 300-seat large format digital theatre with additional retail and exhibit space. The project is under construction and is expected to be complete in 2020. The City is the owner of the subject property and leases it to Imagination Station.

Ordinance 206-19 authorized the city to pay a special assessment through the Northwest Ohio Advanced Energy Improvement District not to exceed \$400,000 for energy efficiency improvements to be made to the overall Imagination Station property as a part of the theatre project.

In recent months, the building’s three original air handler units have broken down. Two units have been repaired while the third unit is unrepairable. The air handlers are primarily used for the building’s air conditioning system and are nearly 34 years old. The average life expectancy of an air handler unit is 15-20 years. The cost to replace all three air handler units is \$700,000.

The administration recommends that to further assist the theatre project and the improvement of the overall Imagination Station property, that the city agree to pay an assessment on the property for energy efficiency

improvements to be made to the facility and financing through the Northwest Ohio Advanced Energy Improvement District in a total amount not to exceed \$1,100,000. Additional approval of assessments at some point in the future by Council will be necessary to effectuate this.

This Ordinance requests authorization for necessary agreements to allow the construction of the Imagination Station Theatre project and expansion to move forward.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$1,100,000 (paid over multiple years through special assessments paid by the general fund)
- The expenditure budget line item: 1001-16400-5000436STDSTD
- New revenue generated (operational revenue, grants, if any): Not Applicable
- Revenue budget line item (if any): Not Applicable
- Are funds budgeted in the current fiscal year (yes/no)? No
- Is this a capital project (yes/no)? Yes (but is not part of City's CIP)
- If yes, is it new or existing (new/existing)? New
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) Yes
  - o Quality Community Investment (Livable City, Development) (yes/no) Yes
  - o Workplace Culture & Customer Service (yes/no) No
  - Environment (yes/no) Yes

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That Section 1 of Ordinance 206-19 which reads as follows:

“That Mayor is authorized to enter into a Second Amendment to and Assignment and Assumption of Lease Agreement amending and assigning to the Toledo Science Center the current lease with the Ohio Facilities Construction Commission for the city-owned Imagination Station property. The Original Lease and First Amendment with legal description are attached as Exhibit A. The Second Lease Amendment shall authorize the Theatre expansion project and include: i) an extension of the lease term for period of 30 years following issuance of an occupancy permit for the building expansion; ii) a license for the Toledo Science Center to use the office space within the adjacent city-owned concourse area (former Citifest offices as shown on Exhibit B-1); iii) a non-exclusive license for the Toledo Science Center to use a portion of the city-owned property immediately adjacent to the leased property as indicated on Exhibit B-2, being that portion of Lucas County parcel number 14-55956 not previously included in the Lease; iv) an agreement that the City will pay all special energy assessments related to energy efficiency improvements to be made to the property not to exceed a total of \$400,000; and v) such other terms and provisions as may be approved by the Director of Law and the Mayor.”

is repealed.

SECTION 2. That a new Section 1 of Ordinance 206-19 is enacted to read as follows:

“That Mayor is authorized to enter into a Second Amendment to and Assignment

and Assumption of Lease Agreement amending and assigning to the Toledo Science Center the current lease with the Ohio Facilities Construction Commission for the city-owned Imagination Station property. The Original Lease and First Amendment with legal description are attached as Exhibit A. The Second Lease Amendment shall authorize the Theatre expansion project and include: i) an extension of the lease term for period of 30 years following issuance of an occupancy permit for the building expansion; ii) a license for the Toledo Science Center to use the office space within the adjacent city-owned concourse area (former Citifest offices as shown on Exhibit B-1); iii) a non-exclusive license for the Toledo Science Center to use a portion of the city-owned property immediately adjacent to the leased property as indicated on Exhibit B-2, being that portion of Lucas County parcel number 14-55956 not previously included in the Lease; iv) an agreement that the City will pay all special energy assessments related to energy efficiency improvements to be made to the property not to exceed a total of \$1,100,000; and v) such other terms and provisions as may be approved by the Director of Law and the Mayor.”

SECTION 3. That this Ordinance is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that the same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that the Ordinance must be immediately effective to and for the further reason that the Ordinance must be immediately effective to carry out the public purpose of encouraging the cultural, educational, and downtown redevelopment opportunities in the City of Toledo, and to enable the Imagination Station project to move forward in time for current construction season.

Vote on emergency clause: yeas 11 nays 0.

Passed: January 28, 2020, as an emergency measure: yeas 11, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

January 28, 2020  
Wade Kapszukiewicz  
Mayor