



Legislation Text

File #: O-470-21, **Version:** 1

Convention Center Closed Alley License Agreement
Department of Law
Paul F. Syring (x1020)
Revised

Authorizing the Mayor to enter into a Real Property License Agreement with the Lucas County Economic Development Corporation with respect to a closed stub alley adjacent to 300 Jefferson Avenue, Toledo, Ohio; making certain findings with respect thereto; and declaring an emergency.

SUMMARY & BACKGROUND:

Ordinance 633-85 passed September 3, 1985, authorized the closure of a stub alley to facilitate access to the SeaGate Convention Center and an adjacent former hotel. As part of the SeaGate Convention Center renovation project, the Lucas County Economic Development Corporation (“LCEDC”) has requested that the City grant a license agreement for LCEDC to utilize the alley for the purpose of including the same as part of the pocket park to be developed and maintained at the southwest corner of Jefferson Avenue and Summit Street. The license agreement will be for an initial term of twenty (20) years with automatic one (1) year renewals thereafter subject to termination upon providing a nine (9) month written notice. The license agreement will be conditioned upon the alley being operated and maintained as public park space. The consideration for the license agreement will be Ten Dollars (\$10.00).

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$0
- The expenditure budget line item: NA
- New revenue generated (operational revenue, grants, if any): \$ NA
- Are funds budgeted in the current fiscal year (yes/no)? :NA
- Is this a capital project (yes/no)? : NA
- If yes, is it new or existing (new/existing)? : NA
- What section of the City’s Strategic Plan does this support:
- Excellence in Basic Services (yes/no) yes
- Quality Community Investment (Livable City, Development) (yes/no) yes
- 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 the Mayor be and hereby is authorized to enter into a real property license agreement with the Lucas County Economic Development Corporation with respect to the closed stub alley described in attached Exhibit A subject to final survey.

SECTION 2. That the license agreement shall be in consideration of Ten Dollars (\$10.00) with an initial term of twenty (20) years and annual renewals thereafter subject to termination and further conditioned upon the subject premises being exclusively operated and maintained as public park space.

SECTION 3. That it is found and determined the subject premises is not needed by the City for any purposes during the term of the license, and that the granting of the license is in the best interest of the City and may be entered into without competitive bidding for the reason that the highest and best use of the property is open park space.

SECTION 4. That the license agreement shall contain other terms and conditions deemed necessary and proper by the Mayor and the Director of Law.

SECTION 5. That it is found and determined all formal actions of Council concerning and related to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of Council and any of its committees that resulted in such formal action were in meetings and open to the public and in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately 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 health and safety and to more efficiently utilize the subject premises as productive public open green space without delay to the development of the park and the adjacent Convention Center Renovation Project.

Vote on emergency clause: yeas 12, nays 0.

Passed: September 15, 2021, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

September 15, 2021
Wade Kapszukiewicz
Mayor