



Legislation Text

File #: O-590-19, **Version:** 1

DNBD BelieveCenterLease2019
Development / Real Estate
Brandon Sehlhorst (x1692)
(Revised)

Authorizing the mayor to enter into a five (5) year Lease, with an option for an additional five (5) year renewal period as well as other provisions, between the City of Toledo (“City”) and Believe Center, Inc., (“Center”) located at 1 Aurora L. Gonzalez Drive, Toledo, Ohio 43609; accepting and depositing rent proceeds into the General Fund; and declaring an emergency.

SUMMARY & BACKGROUND:

This legislation authorizes the mayor to enter into a new lease for an initial term of five (5) years with a renewal option for an additional five (5) years at an annual rent of \$500. Operating expenses, including taxes and insurance are to be paid by Center, except that any maintenance expense greater than \$500 per occurrence for year 1 to year 3 of Term and \$1,000 per occurrence for year 4 and year 5 of Term are to be paid by city. All utilities, except telecommunications (i.e. internet, phone, cable, etc.) will be paid by city. No assignments or sublease rentals will be permitted without the prior written consent of city and a standard form of rental agreement is included with the lease. Finally, there are preventative maintenance rules in effect intended to preserve the longevity of the facility.

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

SECTION 1. That the mayor authorized to execute a lease agreement between the City of Toledo and Believe Center, Inc., for a term of five (5) years and an additional one (1) renewal term of five (5) years. The agreement shall contain such terms and conditions deemed necessary and proper by the mayor, the Director of Neighborhood and Business Development and the Director of Law

SECTION 2. That the lease shall contain an annual rent of \$500 excluding operating expenses for any insurance premiums, maintenance expenses, and utilities as required by the Lease.

SECTION 3. That the lease “premises” include approximately 23,333 square feet of space as more specifically described on Exhibit “A”, incorporated by reference.

SECTION 4. That the lease premises is not needed by the City for any municipal purpose and establishing the lease agreement is in the best interest of the City.

SECTION 5. That it is found and determined that all formal actions of Council concerning and relating 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 result in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 6. That the mayor is authorized to accept and deposit rent proceeds from the lease agreement into the General Fund, Account Code 1001-16400-5000436STDSTD.

SECTION 7. That this Ordinance is 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 same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that this Ordinance must be immediately effective to facilitate the continuous use this property by the Center for important social community activities.

Vote on emergency clause: yeas 11 nays 0

Passed: December 10, 2019, 2019, as an emergency measure: yeas 11, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

December 11, 2019
Wade Kapszukiewicz
Mayor