



Legislation Details (With Text)

File #: O-002-19 **Version:** 1 **Name:**
Type: Ordinance **Status:** Tabled
File created: 10/23/2018 **In control:** Development Department
On agenda: 1/8/2019 **Final action:**

Title: Authorizing the mayor to enter into a real property lease, by and between the city of Toledo and Crestline Paving and Excavating Co., Inc. ("Crestline") for approximately 8.78 acres located at 750 Montrose Toledo, Ohio 43607; waiving the competitive bidding requirement as required by T.M.C. Chapter 187; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Lease Agreement, 2. Audio: O477-18 Council Meeting (held until Jan. 8, 2019), 3. Audio: Agenda Review 1/2/2019, 4. Audio: Council Meeting 1/8/19, 5. Audio: City Council 2/5/2019 Held, 6. Audio: Agenda Review 2/26/2019, 7. Audio: City Council 3/5/2019

Date	Ver.	Action By	Action	Result
3/5/2019	1	City Council	refer back to the Administration	Pass
2/5/2019	1	City Council	held	Pass
1/8/2019	1	City Council	held	Pass
12/18/2018	1	City Council	held	Pass
11/20/2018	1	City Council	held	Pass
11/7/2018	1	City Council	First Reading	

Champion Lease to Crestline
Department of Business Development
B Burkett (x1692)
(Revised)

Authorizing the mayor to enter into a real property lease, by and between the city of Toledo and Crestline Paving and Excavating Co., Inc. ("Crestline") for approximately 8.78 acres located at 750 Montrose Toledo, Ohio 43607; waiving the competitive bidding requirement as required by T.M.C. Chapter 187; and declaring an emergency.

SUMMARY & BACKGROUND:

In 2017, the City of Toledo took ownership of the southern portion of the former Champion Spark Plug site and now wishes to lease it to Crestline Paving. The lease will be a complete 'pass-through or triple net' so that Crestline is responsible for real estate taxes and assessments, maintenance, operating expenses, casualty and liability insurance, and utilities (if and when established like water or telecommunication services) relating to the property. This legislation authorizes the mayor to lease these premises for an annual rent of \$1 with an initial term of five (5) years and one five (5) year renewal option. Finally, no assignments or subleases are permitted without the prior written consent of City.

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

SECTION 1. That the mayor is authorized to execute a lease agreement between the city of Toledo and Crestline, for a term of five (5) years with one (1) five (5) year renewal option. Such agreement shall contain terms and conditions deemed proper and requisite according to the the real estate division of the Department of Neighborhoods and Business Development and the Director of Law.

SECTION 2. That the lease have an annual rent of \$1, with all maintenance and operating expenses, casualty and liability insurance, and utilities (if and when established like water or telecommunication services) related to the Premises passed through and payable solely by Tenant.

SECTION 3. That the "Premises" are Lucas County Parcel 0411812 and legally described as:

DORR ST STATION ADDN LOTS 26 TO 28 & 68 TO 75 & 125 FT STRIP BET LOTS 69 & 70 & NLY RR & LOTS 52 TO 89 NORWOOD & UPTON AVE VAC & ADJ TO LOTS 52 TO 70 & LOTS 821 TO 873 2ND EXTN

SECTION 4. That the lease premises is not needed by the City for any municipal purpose and 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 Council finds it in the best interest of the city to waive the competitive bidding requirement as required by T.M.C. Chapter 187 for the reason that Crestline is an adjacent operating business and has agreed to maintain the property.

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 revitalized use of this property.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council