



Legislation Details (With Text)

File #: 22-00635 **Version:** 1 **Name:**
Type: Legislative Action Item **Status:** Postponed
File created: 11/18/2021 **In control:** City Council
On agenda: 6/16/2022 **Final action:**
Enactment date: **Enactment #:**
Title: LEASE AMENDMENT - MONUMENT TO WOMEN VETERANS INC. LEASE FOR THE FORMER AMTRAK BUILDING & PARKING LOT AND CONFIRMATION OF LOCAL OPTION SALES TAX (LOST) ALLOCATION CONDITION

Sponsors: Grover C. Robinson, IV

Indexes:

Code sections:

Attachments: 1. Amendment to Monument to Women Veterans Amtrak Lease - February 2022 draft, 2. Monument to Women Veterans Lease - fully executed, 3. Council Approval of Negotiated Lease for Amtrak Station - 12-10-2020, 4. 9.8.21 City Council - Verbatim Transcript of Council Discussion regarding \$40,000 allocation, 5. HANDOUT - LISTING OF IMPROVEMENTS TO BUILDING AND GROUNDS TO DATE

Date	Ver.	Action By	Action	Result
6/16/2022	1	City Council	Postponed	Pass
6/13/2022	1	Agenda Conference	Placed on Regular Agenda	Pass

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

LEASE AMENDMENT - MONUMENT TO WOMEN VETERANS INC. LEASE FOR THE FORMER AMTRAK BUILDING & PARKING LOT AND CONFIRMATION OF LOCAL OPTION SALES TAX (LOST) ALLOCATION CONDITION

RECOMMENDATION:

That City Council approve the Amendment to the Lease with Monument to Women Veterans for the former Amtrak building and parking lot. Further, that City Council authorize the Mayor to take all actions necessary to execute the Amendment to the Lease. Finally, that City Council confirm that the \$40,000 currently allocated to the Monument to Women’s Veterans Inc. is to be used only on the construction of the monument for eligible LOST expenses and that these funds may only be distributed if all the necessary funds have been confirmed to be raised for the construction of the monument.

HEARING REQUIRED: No Hearing Required

SUMMARY:

In December 2020, the City Council approved a negotiated lease with the Monument to Women Veterans (MWV) organization for the former Amtrak building and parking lot. The negotiated lease included milestones for initial fundraising and construction documentation, in line with organizations with no immediate financial means to complete the necessary capital repairs for occupancy of the building. Also, after the initial 18-months of milestones was completed, MWV would have received credit for sufficiently-documented capital repair expenditures against future market rate lease payments.

Recently, representatives of the organization have requested a modification to their lease, making it less restrictive regarding the documentation of fundraising milestones and construction timelines. This proposed amendment to the lease would remove the milestones and timelines in their entirety, and allow MWV to receive credit immediately for sufficiently-documented capital repairs against to-be-determined market-rate lease payments. These amendments are supported by the Mayor and the Administration given that MWV has completed and continues to plan for significant repairs, renovations and enhancements to the building and grounds, consistent with the intent of the agreement. The proposed amendments will eliminate the requirement that rent credits be tied to fundraising and, instead, tie rent credits to documented improvements, regardless of how they were funded or completed.

During the second public hearing to adopt the budget on September 15, 2021, the City Council reallocated Local Option Sales Tax (LOST) monies and provided \$40,000 to the Monument to Women's Veterans. During the Council's deliberations, the consensus was that the \$40,000 was only to be used for the monument itself and would only be distributed if all the necessary funding has been confirmed to be raised for the construction of the monument. Via this proposed action, that consensus intent will be specified.

PRIOR ACTION:

December 10, 2020 - City Council approved the negotiated lease with Monument to Women Veterans Inc.

September 15, 2021 - City Council discussed the reallocations of LOST funds

October 14, 2021 - City Council adopted Supplemental Budget Resolution No. 2021-85 allocating funding to the Monument to Women's Veterans.

FUNDING:

N/A

FINANCIAL IMPACT:

Funding in the amount of \$40,000 was appropriated on Supplemental Budget Resolution No. 2021-85. The memo seeks to confirm the condition under which the distribution occurs.

No additional financial impact anticipates ed in the immediate future. Future lease payments should be offset by sufficiently-documented capital repair expenditures necessary for occupancy of the building for some time.

LEGAL REVIEW ONLY BY CITY ATTORNEY: Yes

5/31/2022

STAFF CONTACT:

Kerrith Fiddler, City Administrator
Amy Miller, Deputy City Administrator - Administration & Enterprise
Amy Lovoy, Finance Director

ATTACHMENTS:

- 1) Amendment to Monument to Women Veterans Amtrak Lease - February 2022 draft
- 2) Monument to Women Veterans Amtrak Lease - fully executed
- 3) Council Approval of Negotiated Lease for Amtrak Station - 12-12-2020
- 4) 9.8.21 City Council - Verbatim Transcript of Council Discussion regarding \$40,000 allocation

PRESENTATION: No