



Jackson County Missouri

Jackson County Courthouse
415 E. 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

Legislation Details (With Text)

File #: 4009 **Version:** 0 **Name:** lease of office space in the Oak Tower Building - Lease Amendment 4

Type: Ordinance **Status:** Dropped

File created: 6/23/2008 **In control:** (R)Anti-Drug Committee

On agenda: 6/23/2008 **Final action:** 8/18/2008

Title: AN ORDINANCE appropriating \$33,259.77 from the fund balance of the 2008 Anti-Drug Sales Tax Fund and authorizing the Director of Finance and Purchasing to execute Lease Amendment 4 to the lease with K.C. Partners, LLC, for office space in the Oak Tower Building, for the use and benefit of the Public Defender's Office, extending the term from July 1, 2008, through June 30, 2015, at a cost to the County not to exceed \$225,259.77 in 2008, and a total cost over the life of the lease amendment not to exceed \$1,747,692.96.

Sponsors: Dan Tarwater III

Indexes: LEASE AGREEMENT, OAK TOWER BUILDING, PUBLIC DEFENDER'S OFFICE

Code sections:

Attachments: 1. 4009adopt.pdf

Date	Ver.	Action By	Action	Result
8/29/2008	0	County Legislature	dropped	Pass
8/22/2008	0	County Legislature	dropped	Pass
8/18/2008	0	(R)Anti-Drug Committee		
8/15/2008	0	County Legislature	Go To 7th Perfection	Pass
8/11/2008	0	(R)Anti-Drug Committee		
8/5/2008	0	County Legislature	Go To 7th Perfection	Pass
8/4/2008	0	(R)Anti-Drug Committee		
8/1/2008	0	County Legislature	Go To 5th Perfection	Pass
7/28/2008	0	(R)Anti-Drug Committee		
7/25/2008	0	County Legislature	Go To 5th Perfection	Pass
7/21/2008	0	(R)Anti-Drug Committee		
7/18/2008	0	County Legislature	Go To 4th Perfection	Pass
7/14/2008	0	(R)Anti-Drug Committee		
7/8/2008	0	County Legislature	Go To 3rd Perfection	Pass
7/7/2008	0	(R)Anti-Drug Committee		
7/3/2008	0	County Legislature	Go To 2nd Perfection	Pass
6/30/2008	0	(R)Anti-Drug Committee		
6/27/2008	0	County Legislature	Go To 1st Perfection	Pass
6/23/2008	0	County Legislature	assign to committee	

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$33,259.77 from the fund balance of the 2008 Anti-Drug Sales Tax Fund and authorizing the Director of Finance and Purchasing to execute Lease Amendment 4 to the lease with K.C. Partners, LLC, for office space in the Oak Tower Building, for the use and benefit of the Public Defender's Office, extending the term from July 1, 2008, through June 30, 2015, at a cost to the County not to exceed \$225,259.77 in 2008, and a total cost over the life of the lease amendment not to exceed \$1,747,692.96.

ORDINANCE #4009, June 23, 2008

INTRODUCED BY Dan Tarwater, County Legislator

WHEREAS, by Resolution 11368, dated July 22, 1996, the Legislature did authorize the execution of a long-term lease for the use and benefit of the Public Defender's Office at the Oak Tower Building, located 324 E. 11th Street in downtown Kansas City, at a total base cost of \$1,057,141.85 plus annual percentage increases in operating expenses with the first term ending in 2003; and,

WHEREAS, the 1996 lease's term has been extended on a short-term basis since 2003 by Lease Amendments 2 and 3; and,

WHEREAS, the lease terms as amended are presently continuing on a year-to-year basis with an operating expense pass-through provision obligating the County to pay the pro-rata increases in the tenant's share of the utilities, taxes, and maintenance of the Oak Tower Building; and,

WHEREAS, the previous Administration authorized the inclusion of the Public Defender's employees in County-funded parking spaces and increased the expenses charged to the budgeted amounts for this lease; and,

WHEREAS, the State Public Defender's Office was authorized in 2005 by the previous Administration to solicit proposals for office space for the district office; and,

WHEREAS, after an exhaustive review of the current state of office space leases in downtown

Kansas City, the State Public Defender has recommended the continuation of a lease at the current location if certain improvements and additional square footage for case file storage could be obtained; and,

WHEREAS, K.C. Partners, LLC, has submitted proposed Lease Amendment 4 for the use of 19,685 total square feet in the Oak Tower Building; and,

WHEREAS, under the terms of the proposed Lease Amendment 4, the County would pay a scheduled amount each year as rent, without additional billings for increased utility costs and other costs as operating expenses; and,

WHEREAS, under the proposed Lease Amendment 4, the County would pay monthly rent commencing July 1, 2008, based upon the new schedule; and,

WHEREAS, under this Amendment, the County will obtain a rental price for the first year that is comparable to the 1996 per square foot cost and the Public Defender's Office will obtain requested improvements and additional space for case file storage; and,

WHEREAS, the Amendment provides the County with a termination option should opportunities arise for the consolidation of County-funded office space; and,

WHEREAS, the net additional cost of this lease for the 2008 budget year will be \$33,259.77, for which an appropriation is required after reconciliation for actual expenses paid in 2008 through July 1, 2008; and,

WHEREAS, Lease Amendment 4 provides for a buy-out or early termination option after the third year of the extended lease term; and,

WHEREAS, the maximum total cost this lease amendment will be \$1,747,692.96 from July 1, 2008, until its expiration date of June 30, 2015; and,

WHEREAS, this lease is in the best interests of the health, safety, and welfare of the citizens of the County; and,

WHEREAS, the attached Lease Amendment adequately sets out the rights and obligations of the parties; and,

WHEREAS, in order to fund this lease, an appropriation from the fund balance of the 2008 Anti-Drug Sales Tax Fund is necessary; and,

WHEREAS, the County Executive recommends such appropriation; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the Director of Finance and Purchasing be and hereby is authorized to execute the attached Lease Amendment 4 with K.C. Partners, LLC, in a final form to be approved by the County Counselor; and,

BE IT FURTHER ORDAINED that the Director of Finance and Purchasing be and hereby is authorized to make all payments on said lease to the extent that sufficient appropriations to the using

spending agency are contained in the then current Jackson County budget; and,

BE IT FURTHER ORDAINED, that the following appropriation from the fund balance of the 2008 Anti-Drug Sales Tax Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
2008 Anti Drug Sales Tax Fund			
008-2810	Budgetary	Fund	Balance
			\$33,259.77
Circuit Court Anti-Drug Fund			
008-3001	56790 - Other Contractual Services		\$33,259.77

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

Chief Deputy County Counselor

County Counselor

I hereby certify that the attached Ordinance, Ordinance #4009, introduced on June 23, 2008, was duly passed on _____, 2008 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary

Jo

Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4009.

Date _____ Michael D.
Sanders, County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 008 2810

ACCOUNT TITLE: Anti Drug Sales Tax Fund 2008
Budgetary Fund Balance

NOT TO EXCEED: \$33,259.77

Date _____ Director of
Finance and Purchasing