

Resolution No. 13-28

A RESOLUTION ESTABLISHING A RENT ABATEMENT POLICY FOR CITY PROPERTIES AT THE ROSWELL INTERNATIONAL AIR CENTER.

WHEREAS, The City owns buildings and land at the Roswell International Air Center that it rents to tenants, and

WHEREAS, those buildings are in need of improvements or repairs that the City cannot afford to make, and

WHEREAS, certain tenants desire to use their own funds to make those needed repairs or improvements and receive rent abatement for the repairs:

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSWELL that the following rent abatement policy is adopted to guide the City in offering rent abatements:

PURPOSE:

Allow tenants to make preapproved, necessary improvements to City owned RIAC properties that the City lacks the expertise, time or funds to accomplish itself.

IMPROVEMENTS:

The City will consider abating rent for improvements that increase the value of the building to the City over the long term. The City will not abate for trade fixtures, maintenance items or any project that does not increase the value of the building for other than current tenant.

PRE-CONDITIONS:

Any rent abatement improvement shall be agreed to before the fact as no after the fact abatements will be considered. In order for a project to be considered for abatement the Tenant must be current on all financial obligations to the City, must not be in default in any terms of the lease with the City and must be prepared to enter into a new lease with the City, if necessary. The new lease must be of sufficient length to cover the entire abatement period.

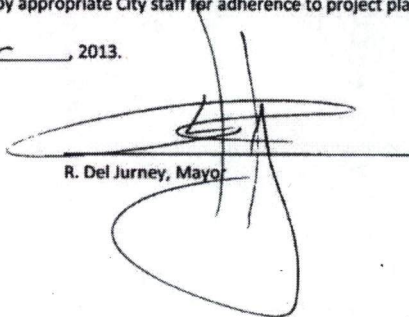
APPLICATION PROCEDURE:

Any tenant seeking rent abatement for a City building at the RIAC must submit in writing an application or request for with three bids and detailed plans to the RIAC Management. The amount of rent abated will not exceed the amount of the lowest responsible bid. After receipt of the application/request, plans and bids the City staff will evaluate the proposal and forward it to the Airport Committee with recommendation.

FINANCIAL ARRANGEMENTS:

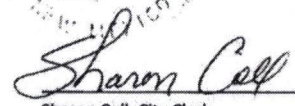
Monthly rent abatement payment amounts will not exceed 50% of negotiated rent. Title to improvements transfers to the City upon completion of a project. Rent abatement ceases with any violation of the provisions of the lease particularly in regard to construction or other required permitting and establishment of materialmen's lien. Abatement cease with the sale or transfer of business ownership and City is not responsible to repay any unused abatement. Receipts verifying project costs must be provided before any abatement can begin. Projects must be completed within one year of approval. Projects costing over \$50,000.00 will require a payment bond. Projects of lesser amounts will be inspected by appropriate City staff for adherence to project plans.

Approved this 18th day of July, 2013.


R. Del Junney, Mayor


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Attest:


Sharon Coll, City Clerk