



Property Committee Agenda
Room 400, Government Center

Thursday, December 8, 2005

3:00 p.m.

1. Roll Call
2. Chairman's Approval of Minutes – November 3, 2005
3. Departmental Matters:
 - A. Jack Moody, Director, Facilities Management
 - 1) Items to be Presented for Information:
 - a) Report on Progress of Possible Coffee Shop in Government Center
 - b) General Report
 - c) Other
 - B. John Zeunik, County Administrator
 - 1) Items to be Presented for Action:
 - a) Request Approval of a Second Lease Agreement Amendment between the Public Building Commission (PBC), the City of Bloomington and McLean County for 115 E. Washington, 201 E. Washington and the Abraham Lincoln Parking Lot 1-2
 - b) Request Approval of Lease and Contract Extension Agreement No. 3 Extending the Lease of the Courthouse Building and the Contract for Operation and Maintenance all Dated December 3, 2002 3-5
 - c) Request Approval of Attachment Number 15 to the Amendment to the Lease and Operation and Maintenance Agreement For the Law and Justice Center 6-8
 - d) Request Approval of Attachment No. Four to Amendment to Lease and Operation and Maintenance Agreement for the City/County Office Building 9-11

1) Items to be Presented for Information:

- a) General Report
- b) Other

4. Other Business and Communications

5. Recommend Payment of Bills and Transfers, if any, to County Board

6. Adjournment

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SECOND LEASE AGREEMENT AMENDMENT

This Amendment to a Lease Agreement made this 4th day of October, 2005, between the Public Building Commission of McLean County, Illinois, McLean County, Illinois, a municipal corporation of the State of Illinois (the "*Commission*"), as Lessor, and The County of McLean, Illinois, a municipal corporation of the State of Illinois (the "*County*"), and the City of Bloomington, McLean County, Illinois, a municipal corporation of the State of Illinois (the "*City*"), as Lessees.

Witnesseth:

Whereas, the Commission, as Lessor, and the County and the City, as Lessees, have hereiofore entered into a lease made the 20th of November, 2001 (the "*Lease*"); pursuant to which the Commission leases to the County and the City, the Site and the Building (as described and defined in the Lease); and

Whereas, the parties executed an amendment to the Lease on December 12, 2003 entitled Lease Agreement Amendment (the "*Amendment*") wherein it was provided among other things that the rental payment provisions of the Lease were modified by reason of a second bond issue to finance added costs of the Government Center renovation project; and

Whereas, the original rental amount and the amended rental amount payable by the City were premised upon a certain cost of construction of two additional decks on the Abraham Lincoln Parking Garage but the actual cost of that construction was approximately \$1,000,000 less than the estimated costs and accordingly the rental amount payable by the City for the parking deck should be reduced and be reallocated equally to the rent payable by both the County and the City for the Government Center.

Now therefore, in consideration of the revised rents set forth herein and the covenants and provisions contained in the Lease, the parties agree as follows:

1. The County agrees to pay the sum of \$515,506 on or before October 1, 2006 as its share of the rent payment due at that time under the Lease and the Amendment.
2. The City agrees to pay the sum of \$633,180 on or before October 1, 2006 as its share of the rent payment due at that time under the Lease and the Amendment.
3. Beginning with the rent payment due on or before October 1, 2007, and on or before October 1 of each year thereafter thru and including October 1, 2022, the County agrees to pay \$429,176 and the City agrees to pay \$719,509 as rent for each of said years.

4. Notwithstanding the foregoing, the County and City acknowledge their joint and several liability for the total annual rent due under the Lease and the Amendment in the amount of \$1,148,685.
5. In all other respects the terms of the Lease and the Amendment remain in full force and effect.

In Witness Whereof, the Public Building Commission of McLean County, Illinois, McLean County, Illinois, by authority of its Board of Commissioners, has caused its corporate seal to be affixed hereto and this amendment to the Lease to be signed by its Chairman and attested by its Secretary, the County of McLean, Illinois, by authority of its County Board, has caused its corporate seal to be affixed hereto and this amendment to the Lease to be signed in its name by the Chairman of the County Board and to be attested by the Clerk of the County, and the City of Bloomington, McLean County, Illinois, by authority of its City Council has caused its corporate seal to be affixed hereto and this amendment to the Lease to be signed in its name by its Mayor and attested by the Clerk of the City as of the day and year first written.

Public Building Commission of McLean
County, Illinois
McLean County, Illinois

Attest:

Secretary

(Affix Corporate Seal)

By _____
Chairman

The County of McLean, Illinois

Attest:

County Clerk of McLean
County, Illinois

(Affix Corporate Seal)

By _____
Chairman, County Board
of McLean County, Illinois

City of Bloomington,
McLean County, Illinois

Attest:

()

City Clerk of the City of Bloomington

(Affix Corporate Seal)

By

Mayor of the City of Bloomington

**LEASE AND CONTRACT EXTENSION AGREEMENT NO. 3 EXTENDING
THE LEASE OF THE COURTHOUSE BUILDING AND THE CONTRACT
FOR OPERATION AND MAINTENANCE ALL
DATED DECEMBER 3, 2002**

The undersigned as parties to that certain lease between them dated December 3rd, 2002, being a one year lease to the County commencing January 1st, 2004 for the Courthouse Building, and as parties to that certain Contract for Operation and Maintenance dated December 3rd, 2002, do hereby agree to extend said lease and contract terms for one additional year beginning January 1st, 2006 at an annual rent and payment of \$182,553.00 by each party to the other. All of the other terms of the lease and the contract shall remain in full force and effect and the County agrees to take such action as is required of it under the lease as is necessary to levy the necessary taxes to pay the rent of \$182,553.00.

This Extension Agreement is dated this 6th day of December, 2005.

(AFFIX CORPORATE SEAL)

PUBLIC BUILDING COMMISSION
OF MCLEAN COUNTY, ILLINOIS

ATTEST:

Secretary

By: _____
Chairman

(AFFIX CORPORATE SEAL)

ATTEST:

County of McLean, Illinois

County Clerk of McLean
County, Illinois

By: _____
Chairman, County Board
of McLean County, Illinois

(AFFIX CORPORATE SEAL)

DATE 11/21/05 FISCAL YEAR: 2006 REVENUE ADOPTED ANNUAL BUDGET
 FUND: 0162 PBC RENT/O & M DEPT: 0041 FACILITIES MANAGEMENT SUB DEPT: 0049 COURTHOUSE MAINTENANCE

ACCOUNT DESCRIPTION	2004 BUDGET	2004 ACTUAL	2005 BUDGET	2005 AMENDED	2006 APPROVED
Taxes					
0401 0001 General Property Tax	134,316	133,772	178,546	178,546	182,553
	134,316	133,772	178,546	178,546	182,553
Intergovernmental					
0407 0008 Emer.Opr.Ctr - Do Not Use	0	0	0	0	0
0407 0010 Personal Prop.Replace.Tax	0	0	0	0	0
	0	0	0	0	0
Transfer From Other Funds					
0450 0011 Transfer From Other Funds	0	0	0	0	0
	0	0	0	0	0
Miscellaneous					
0400 0000 Unapprop Fund Balance	0	0	0	0	0
	0	0	0	0	0
** SUB DEPARTMENT TOTALS **	134,316	133,772	178,546	178,546	182,553
** DEPARTMENT TOTALS **	134,316	133,772	178,546	178,546	182,553

DATE 11/21/05 FISCAL YEAR: 2006 EXPENSE ADOPTED ANNUAL BUDGET
 FUND: 0162 PBC RENT/O & M DEPT: 0041 FACILITIES MANAGEMENT SUB DEPT: 0049 COURTHOUSE MAINTENANCE

ACCOUNT DESCRIPTION	2004 BUDGET	2004 ACTUAL	2005 BUDGET	2005 AMENDED	2006 APPROVED
Services					
0768 0001 PBC REIMBURSEMENT	134,316	134,316	178,546	178,546	182,553
0784 0003 LITIGATION EXPENSE	0	0	0	0	0
	134,316	134,316	178,546	178,546	182,553
Other					
0500 0000 BUDGET BALANCE ACCOUNT	0	0	0	0	0
	0	0	0	0	0
** SUB DEPARTMENT TOTALS **	134,316	134,316	178,546	178,546	182,553
** DEPARTMENT TOTALS **	134,316	134,316	178,546	178,546	182,553

**ATTACHMENT NUMBER 15 TO THE AMENDMENT TO THE LEASE AND
OPERATION AND MAINTENANCE AGREEMENT FOR THE
LAW AND JUSTICE CENTER**

Pursuant to the provisions of that certain AMENDMENT TO THE LEASE AND OPERATION AND MAINTENANCE AGREEMENT for the Law and Justice Center, dated December 18, 1990 between the undersigned parties, the parties hereby declare that the provisions of said agreement are hereby extended to the period beginning on January 1, 2006 and ending December 31, 2006, and the County agrees to pay the Public Building Commission for operation and maintenance for such period the sum of \$1,834,086.00.

This ATTACHMENT NUMBER 15 is executed this 6th day of December, 2005, by the officers of the Public Building Commission and on December 20th, 2005 by the officers of the County.

ATTEST:

APPROVED:

Peggy Ann Milton, Clerk of the County
Board, McLean County, Illinois

Chairman of the County Board
Michael Sweeney, Chairman

ATTEST:

APPROVED:

John L. Morel, Secretary of the PBC

By: _____
Robert W. Rush, Chairman

DATE 11/21/05 FISCAL YEAR: 2006 REVENUE ADOPTED ANNUAL BUDGET
 DEPT: 0045 LAW & JUSTICE BUILDING SUB DEPT: 0050 LAW & JUSTICE BLDG.MAINT
 FUND: 0162 PBC RENT/O & M

ACCOUNT	DESCRIPTION	2004 BUDGET	2004 ACTUAL	2005 BUDGET	2005 AMENDED	2006 APPROVED
Taxes						
0401 0001	General Property Tax	1,817,411	1,814,773	1,871,434	1,871,434	1,834,086
		1,817,411	1,814,773	1,871,434	1,871,434	1,834,086
Intergovernmental						
0407 0008	Emer.Opr.Ctr - Do Not Use	0	0	0	0	0
0407 0010	Personal Prop.Replace.Tax	0	0	0	0	0
		0	0	0	0	0
Transfer From Other Funds						
0450 0011	Transfer From Other Funds	0	0	0	0	0
		0	0	0	0	0
Miscellaneous						
0400 0000	Unapprop Fund Balance	0	0	0	0	0
		0	0	0	0	0
** SUB DEPARTMENT TOTALS **		1,817,411	1,814,773	1,871,434	1,871,434	1,834,086
** DEPARTMENT TOTALS **		1,817,411	1,814,773	1,871,434	1,871,434	1,834,086

DATE 11/21/05 FISCAL YEAR: 2006

EXPENSE ADOPTED ANNUAL BUDGET

FUND: 0162 PBC RENT/O & M

DEPT: 0045 LAW & JUSTICE BUILDING

SUB DEPT: 0050 LAW & JUSTICE BLDG.MAINT

ACCOUNT DESCRIPTION	2004 BUDGET	2004 ACTUAL	2005 BUDGET	2005 AMENDED	2006 APPROVED
Services					
0768 0001 PBC REIMBURSEMENT	1,817,411	1,817,411	1,871,434	1,871,434	1,834,086
0784 0003 LITIGATION EXPENSE	0	0	0	0	0
	1,817,411	1,817,411	1,871,434	1,871,434	1,834,086
Other					
0500 0000 BUDGET BALANCE ACCOUNT	0	0	0	0	0
	0	0	0	0	0
** SUB DEPARTMENT TOTALS **	1,817,411	1,817,411	1,871,434	1,871,434	1,834,086
** DEPARTMENT TOTALS **	1,817,411	1,817,411	1,871,434	1,871,434	1,834,086

ATTACHMENT NO. FOUR TO AMENDMENT TO LEASE AND OPERATION AND MAINTENANCE AGREEMENT FOR THE CITY/COUNTY OFFICE BUILDING

Pursuant to the provisions of that certain AMENDMENT TO LEASE AND OPERATION AND MAINTENANCE AGREEMENT for the City/County Office Building at 115 E. Washington Street, Bloomington, Illinois dated November 20th, 2001, between the undersigned parties, the City and County agree to pay to the PBC for the period beginning January 1st, 2006 and ending December 31st, 2006 the sum of \$663,128.00. Of this total, the City agrees to pay \$331,564 and the County agrees to pay \$331,564.

The PBC agrees to perform the operation, maintenance, upkeep and safekeeping functions for the City/County Office Building for the one-year period beginning January 1, 2006 said functions being all pursuant to the provisions of Section III of the Lease, dated November 20th, 2001.

The City and County agree to cause the necessary tax levies to be made to provide for the collection of the funds needed to pay the amounts hereinabove set forth.

This Attachment is executed by the officers of the Public Building Commission, by the Officers of the County of McLean and by the Officers of the City of Bloomington as of the dates set opposite their names.

COUNTY OF MCLEAN

By: _____
Chairman, County Board-Date

ATTEST:

COUNTY CLERK

PUBLIC BUILDING COMMISSION OF
MCLEAN COUNTY, ILLINOIS

By: _____
Its Chairman-Date

ATTEST:

Its Secretary

CITY OF BLOOMINGTON

By: _____
Its Mayor-Date

ATTEST:

City Clerk

DATE 11/21/05 FISCAL YEAR: 2006 REVENUE ADOPTED ANNUAL BUDGET
 FUND: 0162 PBC RENT/O & M DEPT: 0115 GOVERNMENT BUILDING SUB DEPT: 0115 GOVERNMENT CENTER

ACCOUNT DESCRIPTION	2004 BUDGET	2004 ACTUAL	2005 BUDGET	2005 AMENDED	2006 APPROVED
Taxes					
0401 0001 General Property Tax	151,056	151,444	311,800	321,076	331,564
	151,056	151,444	311,800	321,076	331,564
Intergovernmental					
0407 0008 Emer.Opr.Ctr - Do Not Use	0	0	0	0	0
0407 0010 Personal Prop.Replace.Tax	0	0	0	0	0
	0	0	0	0	0
Transfer From Other Funds					
0450 0011 Transfer From Other Funds	0	0	0	0	0
	0	0	0	0	0
Miscellaneous					
0400 0000 Unapprop Fund Balance	0	0	0	0	0
	0	0	0	0	0
** SUB DEPARTMENT TOTALS **	151,056	151,444	311,800	321,076	331,564
** DEPARTMENT TOTALS **	151,056	151,444	311,800	321,076	331,564
** FUND REVENUE TOTALS **	2,102,783	2,099,989	2,361,780	2,371,056	2,348,203

DATE 11/21/05 FISCAL YEAR: 2006 EXPENSE ADOPTED ANNUAL BUDGET
 FUND: 0162 PBC RENT/O & M DEPT: 0115 GOVERNMENT BUILDING SUB DEPT: 0115 GOVERNMENT CENTER

ACCOUNT DESCRIPTION	2004 BUDGET	2004 ACTUAL	2005 BUDGET	2005 AMENDED	2006 APPROVED
Services					
0768 0001 PBC REIMBURSEMENT	151,056	151,056	311,800	321,076	331,564
0784 0003 LITIGATION EXPENSE	0	0	0	0	0
	151,056	151,056	311,800	321,076	331,564
Other					
0500 0000 BUDGET BALANCE ACCOUNT	0	0	0	0	0
	0	0	0	0	0
** SUB DEPARTMENT TOTALS **	151,056	151,056	311,800	321,076	331,564
** DEPARTMENT TOTALS **	151,056	151,056	311,800	321,076	331,564
** FUND EXPENSE TOTALS **	2,102,783	2,102,783	2,361,780	2,371,056	2,348,203
*** FUND NET DIFFERENCE ***	0	2,794-	0	0	0