

WEST END PLAZA LEASING POLICY

GENERAL POLICY STATEMENT: *Rowan County Leases Commercial Space at the West End Plaza for the purpose of maintaining a mix of uses that includes governmental, non-profit and private tenants. The county generally charges market rate and does not intend to undercut the private sector by leasing space below what may be considered below market rate. Summarily, market rates fluctuate, are difficult to determine and may include a prorata share of Common Area Maintenance (CAM) and insurance and taxes in the private sector. Therefore, every lease executed after March 2, 2020 shall include a non-negotiable Government Non-Compete rate of \$2.00 sq. ft. together with a market competitive base rate.*

I. Application

1. Anyone interested in leasing space at the West End Plaza shall complete an application before being considered for leasing space.
2. The application shall be filled out by the tenant individually or by an officer of the entity submitting the application (together with minutes or other corporate documentation of such officer's authority to bind the entity); provided, also, that the application shall include the signature of the "Lease Guarantor". The Lease Guarantor shall be an individual person who is an officer of the entity willing to guaranty the lease payments of the tenant/entity. This shall be applicable to both for profit and nonprofit applicants.
3. The Lease Guarantor shall provide their social security number and date of birth, consent in writing to a credit and criminal background check.
4. The application fee shall be \$75 and non-refundable.
5. For both non-profit and for profit applicants, a 5 year historical financial statement and entity history shall accompany the application. If the entity is a new or start up entity, then a detailed business plan shall accompany the application.
6. Applicants shall provide either an insurance binder or a certificate of liability insurance with a minimum of \$1,000,000 of coverage before the Application will be processed. All such policies shall name Rowan County as Additional Insured and shall require notice to Rowan County at least 30 days in advance of the insurer's intent to terminate such coverage.
7. Applicants may be required to provide additional information if requested for the purpose of protecting the financial interest of the county.
8. The application shall identify the space that the entity is interested in leasing.
9. The application shall identify any needed upfits or accommodations that may need to be made as well as identify how and when the accommodation will be made.

II. Processing

1. The application shall be processed within 30 days of the completed application.
2. The application shall be presented by the County Manager to the Board of Commissioners in Closed Session.
3. The credit check, criminal background check, financials, business plan and/or any documents accompanying the application shall remain confidential and will not be a public record unless said records are deemed by a court to be public records.
4. The discussion of the applicant in closed session will remain confidential and sealed.

III. Rate

1. The rate will include 2 prongs:
 - a. Base Rate: Shall be a square foot rate generally between \$6 and \$12 depending on the space location, condition and access. The board has the right to negotiate in closed session the sq. ft. rate based on several factors including but not limited to, location, condition, size of the space, capital investment by tenant, length of the lease and job development / creation.
 - b. Non-negotiable Government Non-Compete Rate Adjustment of \$2.00 per sq. ft.

IV. Term & Security Deposit

1. The term shall commence with a fully executed Lease Agreement, including Guaranty, and the making of the Security Deposit. The security deposit shall include the annual base rate and non-compete rate adjustment divided by 12.

IV. Board Approval

1. The board shall discuss each proposed lease in closed session and approve in open session.