



## Legislation Details (With Text)

**File #:** 2737-2021      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/15/2021      **In control:** Finance Committee

**On agenda:** 11/1/2021      **Final action:** 11/4/2021

**Title:** To authorize the Director of Finance and Management to execute those documents necessary to enter into a First Amendment to Lease Agreement for Use of Real Property for Agricultural Purposes with Radcliff Ventures LLC; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
11/4/2021	1	CITY CLERK	Attest	
11/3/2021	1	MAYOR	Signed	
11/3/2021	1	MAYOR	Signed	
11/1/2021	1	COUNCIL PRESIDENT	Signed	
11/1/2021	1	Columbus City Council	Approved	Pass

**Background:** Since December 1, 2016 the City, on behalf of its Department of Public Utilities, has leased 161.15 tillable acres of farmland located in Franklin County and located at 5614-5660 Parsons Avenue, to Radcliff Ventures LLC, as authorized by City Council Ordinance 2799-2016. The Department of Public Utilities is engaged in a solar power project that necessitates use of a major portion of the acreage currently leased for farming purposes. It is necessary to reduce the rentable acreage from 161.15 acres to 30.39 acres effective December 1, 2021, to allow the solar power project to immediately proceed in order to meet the timeline established for implementation of the project..

This legislation authorizes the Director of Finance and Management to execute those documents necessary to enter into a First Amendment to Lease Agreement for Use of Real Property for Agricultural Purposes of that certain Lease Agreement with Radcliff Ventures LLC, effective December 1, 2021, to re define the acreage of the leased premises and to modify the rent due to the City based on the 30.39 acres to be leased for farming purposes. All other terms, conditions, and provisions of the Leases will remain unchanged and in full force and effect. This legislation is presented as emergency measure.

**Fiscal Impact:** \$0.00

**Emergency Action:** This legislation is presented as emergency measure to allow for the appropriate lease modifications in regards to the reduction in size of the leased premises and to modify the rent accordingly, to be effective December 1, 2021, so that the solar power project can proceed without delay.

To authorize the Director of Finance and Management to execute those documents necessary to enter into a First Amendment to Lease Agreement for Use of Real Property for Agricultural Purposes with Radcliff Ventures LLC; and to declare an emergency. (\$0.00)

**WHEREAS**, the Department of Finance and Management, through its Real Estate Management Office, leases vacant land in Franklin County on behalf of the Department of Public Utilities for farming purposes; and

**WHEREAS**, due to the City's needs for a portion of the property currently leased for its own uses that will result in a reduction of the leasable acreage from 161.15 acres to 30.39 acres; and

**WHEREAS**, it is necessary to immediately amend the lease to modify the description of the leased premises to reduce the acreage used for farming purposes and to modify the rent due to the City based on the 30.39 acres to be leased for farming; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize the Director to enter into the amendment at the earliest possible date to reduce the leased acreage so that the City's solar project can move forward to meet the project's timeline, for the preservation of the public health, peace, property, safety and welfare; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Finance and Management be, and hereby is, authorized to execute a First Amendment to Lease Agreement for Use of Real Property for Agricultural Purposes by and between the City of Columbus and Radcliff Ventures LLC, as prepared and approved by the Department of Law, Division of Real Estate.

**SECTION 2.** That the City Auditor is authorized to make any accounting changes necessary to ensure that this lease is properly accounted for and recorded accurately on the City's financial records.

**SECTION 3.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes the same.