



## Legislation Details (With Text)

**File #:** 2578-2013      **Version:** 1

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

**File created:** 10/29/2013      **In control:** Public Utilities Committee

**On agenda:** 11/18/2013      **Final action:** 11/20/2013

**Title:** To authorize the Director of Finance and Management to enter into a lease amendment to extend the term of the existing lease with Jeff Writsel for City-owned land for agricultural use; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
11/20/2013	1	CITY CLERK	Attest	
11/19/2013	1	MAYOR	Signed	
11/18/2013	1	COUNCIL PRESIDENT	Signed	
11/18/2013	1	Columbus City Council	Approved	Pass

In December 2012, the Department of Public Utilities, Division of Sewerage and Drainage entered into the fifth and final one-year renewal of a Farmland Lease Agreement with Mr. Jeffrey L. Writsel for the purpose of farming the land owned by the City of Columbus and utilized as the Southerly Wastewater Treatment Plant (SWTP) located approximately 1/2 mile south of State Route 665, between State Route 104 and US Route 23. The lease consists of multiple fields totaling approximately 311.50 acres of City-owned land surrounding the STWP that is tillable as cropland. The lease of the land was awarded to Mr. Writsel as a result of a bid issued in 2008 for the lease of the tillable land for agricultural purposes for a five year period. The current Farmland Lease Agreement between Mr. Writsel and the City expires on December 31, 2013.

The Department of Finance and Management, through its Real Estate Management Office (REMO) is responsible for the leasing of City property used in operations. As such, the leasing of this City-owned land for farmland was transitioned to REMO during August - September of this year. Due to the nature of the farming business, the June - July time period is the optimal time of the year for advertising farmland for lease for the next agricultural season in order to achieve the highest number of responses and therefore the highest lease rate. As a result of the timing of the transition of the responsibility for administering the lease of this land for agricultural use, the optimal time period to publish a public notice to advertise this land for lease via the bid process for the 2014 agricultural season had passed. In order to achieve the best result from a public bid for the lease of this farmland, REMO and the Division of Sewerage and Drainage have agreed that the best course of action is to extend the term of the current lease with Mr. Writsel for one additional farming season at the same rent and to issue a bid for the lease of the farmland in June of 2014 for the 2015 agricultural season. This ordinance authorizes the City to enter into an amendment to the existing lease agreement to extend its term until October 31, 2013.

**Fiscal Impact:** The City will receive rental income of \$51,740.16 for the extended term that will be deposited into the Sewerage and Drainage Operating Fund 650.

**Emergency action** is requested to assure that the Lease Amendment to extend the term can be executed prior to the expiration date of the current lease on December 31, 2013.

To authorize the Director of Finance and Management to enter into a lease amendment to extend the term of the existing lease with Jeff Writsel for City-owned land for agricultural use; and to declare an emergency.

**WHEREAS**, The City of Columbus owns approximately 311.5 acres, more or less, tillable land located at the Southerly Wastewater Treatment Plant, located approximately 1/2 mile south of State Route 665, between State Route 104 and US Route 23 and

**WHEREAS**, The Division of Sewerage and Drainage entered into a Farmland Lease for this acreage beginning January 1, 2009, for up to a five year term with the last renewal term expiring on December 31, 2013; and

**WHEREAS**, due to the transition of the administration the leasing of this land it was not possible to issue a bid during the June-July time period and REMO and the Division of Sewerage and Drainage have determined that it is in the City's best interest to enter into a lease amendment with the current Lessee, Jeffrey L. Writsel, to extend the term of the current lease to October 31, 2014 and to issue a new request for bids in June 2014 for lease the land for agricultural use; and

**WHEREAS**, this ordinance is to authorize an extension of the existing Farmland Lease with Jeffrey L. Writsel 9220 Scioto Darby Road, Orient OH 43146, from January 1, 2014 through October 31, 2014, at the current rent rate of \$51,740.16;

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to authorize the Director of Finance and Management to execute those documents necessary to enter into a Lease Amendment, with Jeffrey L. Writsel, extending the term of the existing lease until October 31, 2014, thereby preserving 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 the Department of Finance and Management, on the behalf of the City, be and is hereby authorized to execute those documents as approved by the Department of Law, Division of Real Estate, necessary to enter into a lease amendment with Mr. Jeffrey L. Writsel to extend the existing lease term to October 31, 2014 for the lease of approximately 311.5 acres, more or less, of City-owned tillable cropland, located approximately 1/2 mile south of State Route 665, between State Route 104 and U.S. Route 23, for agricultural use.

**Section 2.** That the lease and the amendment shall be in a form approved by the Real Estate Division, City Attorney's Office and terms and conditions of the lease shall remain unchanged except for the term which shall extended to October 31, 2014.

**Section 3.** That in consideration for the same, Jeffrey L. Writsel will pay to the City the sum of \$51,740.16 for the lease extension, with the rental funds to be deposited into the Sewerage System Operating Fund 650.

**Section 4.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is thereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.