



Legislation Details (With Text)

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On agenda: 12/15/2014 **Final action:** 12/18/2014

Title: To authorize the Director of Finance and Management to enter into lease amendments to amend and extend existing farmland leases with eleven farmers for use of City-owned land for agricultural purposes; to modify and extend an existing residential lease; and, to declare an emergency.

Sponsors:

Indexes:

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Attachments:

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------------|----------|--------|
| 12/18/2014 | 1 | CITY CLERK | Attest | |
| 12/16/2014 | 1 | MAYOR | Signed | |
| 12/15/2014 | 1 | COUNCIL PRESIDENT | Signed | |
| 12/15/2014 | 1 | Columbus City Council | Approved | Pass |

Background: The City of Columbus owns multiple tracts of land in Franklin, Pickaway and Delaware Counties that are utilized in various operations of the Department of Public Utilities. Specifically, land in Franklin County serves the Southerly Wastewater Treatment Plant (SWTP) and Parsons Avenue Water Project (PAWP); in Pickaway County, the land serves as a buffer to City well fields; and in Delaware County, land is set aside for future upground reservoirs. These large tracts of land have been leased out for farming purposes as a means to offset the expense for maintenance of the land until such time as the land is actively used in city operations. Additionally, when the land was purchased, a house was acquired as part of the land purchase. This house has also been leased as residence.

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 administration of leasing of these City-owned properties was recently transitioned to REMO. The leases, as currently structured, do not contain similar expiration dates. In order to most efficiently manage the leases and allow the City, if it determines that it is in its best interest, to package the farm tracts in a single solicitation for proposals, the existing leases must have the same expiration date. In addition, the leases do not have rent rates consistent with REMO's research of current market rent rates for Ohio farmland. This ordinance authorizes the Director of the Department of Finance and Management to execute lease amendments for the existing leases to modify rent and any other necessary provisions and to extend the terms of the leases until November 30, 2016.

Emergency action is requested to assure that the Lease Amendments are executed prior to expiration of the existing leases.

To authorize the Director of Finance and Management to enter into lease amendments to amend and extend existing

farmland leases with eleven farmers for use of City-owned land for agricultural purposes; to modify and extend an existing residential lease; and, to declare an emergency.

WHEREAS, the City of Columbus owns multiple tracts land in Franklin, Pickaway and Delaware Counties that are associated with various operations of the Department of Public Utilities; and

WHEREAS, the Department of Public Utilities previously entered into Farmland Leases with various farmers to cultivate this acreage, with the leases expiring on different dates; and

WHEREAS, administration of these leases and future leasing of these city-owned properties associated with city operations has been assumed by the Department of Finance and Management, Real Estate Management Office; and

WHEREAS, it is in the City's best interest to amend and extend the existing farmland leases so that the leases will have the same expiration dates to enable the City to better manage the leases and provide the City with the ability, if it is determined to be in its best interest, to incorporate all the land tracts in a single solicitation for proposal to lease the tracts for farming purposes, and to modify rent and other necessary provisions ; and

WHEREAS, the City also owns a house acquired as part of a farmland purchase that is leased as a residence and such lease expires December 31, 2014 that also must be amended and extended; and,

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 Lease Amendments for use of city-owned land to amend provisions and extend the leases until November 30, 2016, 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 behalf of the Department of Public Utilities, be and is hereby authorized to execute those documents necessary, as approved by the Department of Law, Real Estate Division, necessary to amend eleven land leases for farming purposes, and one residential lease for a house, to extend the existing leases to November 30, 2016 and modify rent and any other necessary provisions. The eleven leases to be amended are as follows:

Farms

| | |
|-----------------------|------------------------------|
| Frank D. Peters | 5414 and 5600 Parsons Road |
| D & D Peters, LLC | South High Street at Weigand |
| Jeffrey L. Writsel | Southerly Wastewater Plant |
| Zieg and Hempy | State Route 257 |
| Zimmerman | Taway Road |
| K5E9, LLC | Taway Road |
| Noggle | Smokey Road |
| Taylor | Mooney Road |
| Ackley | Smokey Road and SR 257 |
| Ruff | 2074 Weigand Road |
| Smith Revocable Trust | State Route 104 |

House

Archer and Mullins 5980 Parsons Road

SECTION 2. That the lease amendments shall be in a form approved by the Real Estate Division, Department of Law.

SECTION 3. 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.