



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 4/7/2017 **In control:** Economic Development Committee

On agenda: 4/17/2017 **Final action:** 4/20/2017

Title: To authorize the Mayor to execute a Third Amendment to the Annexation Agreement between the City of Columbus and the Columbus Regional Airport Authority to extend the term thereof and for other provisions; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|----------|--------|
| 4/20/2017 | 1 | CITY CLERK | Attest | |
| 4/19/2017 | 1 | MAYOR | Signed | |
| 4/17/2017 | 1 | COUNCIL PRESIDENT | Signed | |
| 4/17/2017 | 1 | COUNCIL PRESIDENT | Signed | |
| 4/17/2017 | 1 | Columbus City Council | Approved | Pass |

Background: This ordinance amends the Annexation Agreement originally entered between the City of Columbus and the Rickenbacker Port Authority ("RPA") on September 9, 1996 to establish for each party obligations related to annexation of Rickenbacker property to Columbus (the "Original Agreement"). The Original Agreement was extended by an amendment executed in December, 2007 between Columbus and the Columbus Regional Airport Authority ("CRAA"), successor by merger to Rickenbacker. The Agreement was further modified by a Second Amendment executed in February, 2008.. The Agreement provides for a termination date of December 31, 2017 unless terminated earlier or extended upon written mutual consent of the parties. The City of Columbus and the CRAA desire to extend the term of the Annexation Agreement at this time for one year to ensure development can continue while Columbus and the CRAA resolve additional terms and conditions as required for a longer term extension of the Annexation Agreement. This ordinance is submitted as emergency in order to allow pending development proposals to proceed on schedule.

Fiscal Impact: No funding is required for this legislation.

To authorize the Mayor to execute a Third Amendment to the Annexation Agreement between the City of Columbus and the Columbus Regional Airport Authority to extend the term thereof and for other provisions; and to declare an emergency.

Whereas, the City of Columbus (City) and the Rickenbacker Port Authority (Rickenbacker) entered into an Annexation Agreement on September 9, 1996, to establish for each party obligations related to annexation of Rickenbacker property to Columbus (the "Original Agreement"); and

Whereas, the Original Agreement was extended in 2007 between the City and the Columbus Regional Airport Authority ("CRAA"), successor by merger to Rickenbacker, and further modified by a Second Amendment in, 2008 ; and

Whereas, the Annexation Agreement provides for a termination date of December 31, 2017 unless terminated earlier or

extended upon written mutual consent of the parties and further provides that all modifications to the Annexation Agreement shall be in writing signed by both parties; and

Whereas, the City and the CRAA desire to extend the term of the Annexation Agreement at this time for one year to ensure development can continue while the City and the CRAA resolve additional terms and conditions as required for a longer term extension of the Annexation Agreement; and

Whereas, this Council deems it to be in the best economic interests of the City, and for the further reason that the approaching expiration of the Agreement presents an emergency in the usual operations of the Department of Development such that authority to extend the Agreement should be authorized expeditiously, all for the further preservation of the public health, safety, and welfare; **now, therefore**

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

Section 1. That for the reasons stated in the preamble hereinabove, which are incorporated herein by reference, the Mayor is hereby authorized to execute a Third Amendment to the Annexation Agreement between the City of Columbus and the Columbus Regional Airport Authority so as to extend the term thereof for an additional one (1) years, and to include such other provisions therein, and to execute such other additional documents and instruments as are necessary and incident thereto.

Section 2. That for the reasons stated in the preamble hereto which are hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and immediately after its passage and signature by the Mayor, or within 10 days thereafter if the Mayor neither signs nor vetoes the same.