



## Legislation Details (With Text)

**File #:** 3212-2018      **Version:** 1

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

**File created:** 11/13/2018      **In control:** Economic Development & Small and Minority Business Committee

**On agenda:** 11/19/2018      **Final action:** 11/21/2018

**Title:** To authorize the Mayor of the City of Columbus to execute a Fourth 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, to execute any and all other documents and instruments necessary and incident thereto; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
11/21/2018	1	ACTING CITY CLERK	Attest	
11/20/2018	1	MAYOR	Signed	
11/19/2018	1	COUNCIL PRESIDENT	Signed	
11/19/2018	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") in September 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 and a third amendment in April of 2017. The Agreement provides for a termination date of July 31, 2019 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 7 months to ensure development can continue while Columbus and the CRAA resolve additional terms and conditions as required for a new long term 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 of the City of Columbus to execute a Fourth 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, to execute any and all other documents and instruments necessary and incident thereto; and to declare an emergency.

**Whereas,** the City of Columbus (Columbus) and the Rickenbacker Port Authority (Rickenbacker) entered into an Annexation Agreement in September 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 Columbus and the Columbus Regional Airport Authority ("CRAA"), successor by merger to Rickenbacker, and further modified by a Second Amendment in, 2008 and

a third amendment in 2017 ; and

**Whereas**, the Annexation Agreement provides for a termination date of July 31, 2019 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 of Columbus and the CRAA desire to extend the term of the Annexation Agreement at this time for seven months to ensure development can continue while Columbus and the CRAA resolve additional terms and conditions as required for a new long term Annexation Agreement; and

**Whereas**, the Council of the City of Columbus 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 City 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 of the City of Columbus is hereby authorized to execute a Fourth 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 seven (7) months, 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.