



## Legislation Details (With Text)

**File #:** 1372-2019      **Version:** 1

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

**File created:** 5/10/2019      **In control:** Finance Committee

**On agenda:** 6/24/2019      **Final action:** 6/27/2019

**Title:** To authorize the Director of Public Utilities to enter into a Fifteenth Modification to the Transfer Agreement and Modification of Leases by and between the City and Solid Waste Authority of Central Ohio ("SWACO"); and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/27/2019	1	CITY CLERK	Attest	
6/26/2019	1	ACTING MAYOR	Signed	
6/24/2019	1	COUNCIL PRESIDENT	Signed	
6/24/2019	1	Columbus City Council	Approved	Pass

**Background:** This ordinance authorizes the Director of Public Utilities to execute those documents necessary to enter into the Fifteenth Modification to the Transfer Agreement and Modification of Leases between the City and the Solid Waste Authority of Central Ohio ("SWACO"), for the purpose of releasing certain areas from the leased Premises under the Transfer Agreement and Lease Agreement (Solid Waste Reduction Facility), dated March 31, 1993, as amended by subsequent modifications (the "SWRF Lease Agreement") and conveying fee title to an approximately 5.924 acre portion of the leased Premises to SWACO.

**Fiscal Impact:** N/A

**Emergency Justification:** Emergency action is requested to allow the Fifteenth Modification to the Transfer Agreement and Modification of Leases to be effective at the earliest possible date thereby releasing certain real property from the Transfer Agreement and SWRF Lease Agreement which will preserve the public peace, property, health, welfare, and safety.

To authorize the Director of Public Utilities to enter into a Fifteenth Modification to the Transfer Agreement and Modification of Leases by and between the City and Solid Waste Authority of Central Ohio ("SWACO"); and to declare an emergency.

**WHEREAS,** the City has requested SWACO release a 4.687 acre portion of the leased Premises under the Transfer Agreement and SWRF Lease Agreement; and

**WHEREAS,** in consideration and in exchange for the release of the 4.687 acre tract of real property, SWACO has requested the City convey fee title to SWACO certain portion of the leased Premises; and

**WHEREAS**, the City and SWACO now desire to enter into a Fifteenth Modification of the Transfer Agreement and Modification of Leases, and

**WHEREAS**, an emergency exists in the usual daily operations of the Department of Public Utilities in that it is immediately necessary to execute the Fifteenth Modification of the Transfer Agreement and Modification of Leases to remove portions of property from the leased Premises and to transfer fee title of a portion of the leased Premises to SWACO which will preserve the public peace, property, health, welfare, and safety, now therefore:

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

**SECTION 1.** That the Director of Public Utilities be, and hereby is, authorized to enter into and execute Fifteenth Modification to the Transfer Agreement and Modification of Leases between the City and the Solid Waste Authority of Central Ohio, as approved by the City Attorney's Office, including executing a sales contract, quit-claim deed, and any other documents reasonably necessary and contemplated therein.

**SECTION 2.** That for the reasons stated in the preamble hereto, which is 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 after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.