



## Legislation Text

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**File #:** 2602-2019, **Version:** 1

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**BACKGROUND:** The need exists to amend Ordinance 1839-2019 approved by Columbus City Council on July 22, 2019, which authorized the Director of the Department of Development to enter into a dual-rate Jobs Growth Incentive Agreement (the “**AGREEMENT**”) with Williams Lea Inc. (“Williams Lea”) in an amount equal to (i) thirty percent (30%) of the City of Columbus income tax withheld on the Columbus payroll of new employees and (ii) thirty-five percent (35%) of the City of Columbus income tax withheld on the Columbus payroll of new employees, who are also City of Columbus residents at the end of each calendar year, for a term of up to five (5) consecutive years. An amendment is now required to revise the initial incentive term and also to revise the 90-day period needed to execute the **AGREEMENT** to 90 days after the passage of this legislation.

Subsequent to executing the **AGREEMENT**, and through ensuing correspondence, it was ascertained that there was an error in the initial legislation. The Columbus Jobs Growth Incentive program allows an incentive term of two (2) years less than the lease agreement. The company proposed to enter into a long-term lease agreement at a minimum of eight (8) years. Williams Lea and the Department of Development had agreed to an initial incentive term of up to six (6) consecutive years, instead of a term of up to five (5) consecutive years.

The Department of Development and Williams Lea request that the initial incentive term be amended to reflect an incentive term of up to six (6) consecutive years and to extend the window to execute the **AGREEMENT** to 90 days after the passage of this legislation.

This legislation is requested to be considered as an emergency in order to extend the incentive term from a term of up to five (5) consecutive years to an incentive term of up to six (6) consecutive years so as to authorize the **AGREEMENT** with the correct incentive term and to revise the 90-day period needed to execute the Jobs Growth Incentive Agreement to 90 days after the passage of this proposed legislation in order to allow Williams Lea Inc. to begin investing and creating jobs as quickly as possible.

### **FISCAL IMPACT:**

No funding is required for this legislation.

To amend Ordinance 1839-2019, passed on July 22, 2019, for the purposes of changing the initial incentive term from a term of up to five (5) consecutive years to an incentive term of up to six (6) consecutive years and to extend the window to execute the Jobs Growth Incentive Agreement to 90 days after passage from this ordinance; and to declare an emergency.

**WHEREAS**, the need exists to amend Ordinance No. 1839-2019, which was approved by Columbus City Council on July 22, 2019; and

**WHEREAS**, the ordinance authorized the Director of the Department of Development to enter into a dual-rate Jobs Growth Incentive Agreement with Williams Lea Inc. (“Williams Lea”) in an amount equal to (i) thirty percent (30%) of the City of Columbus income tax withheld on the Columbus payroll of new employees and (ii) thirty-five percent (35%) of the City of Columbus income tax withheld on the Columbus payroll of new employees, who are also City of Columbus residents at the end of each calendar year, for a term of up to five (5) consecutive years; and

**WHEREAS**, subsequent to signing the **AGREEMENT**, and through ensuing correspondence, it was ascertained that there was an error in the initial legislation which stated the initial Jobs Growth Incentive term of up to five (5)

consecutive years. Williams Lea and the Department of Development had agreed to a Job Growth Incentive term of up to six (6) consecutive years in consideration of the company entering into a long-term lease agreement at the **Project Site**; and

**WHEREAS**, an emergency exists in the usual daily operation of the Columbus Department of Development in that it is immediately necessary to seek an amendment from Columbus City Council for Ordinance 1839-2019 to revise the initial incentive term from up to five (5) consecutive years to a term of up to six (6) consecutive years and extend the window to execute the Jobs Growth Incentive Agreement to 90 days after passage from this ordinance, thereby preserving the public health, peace, property and safety; **NOW THEREFORE**,

**BE IT ORDAINED BY THE COUNCIL OF COLUMBUS**

**Section 1.** That Sections 1 and 4 of Ordinance 1839-2019 are hereby amended to revise the initial incentive term from up to five (5) consecutive years to an incentive term of up to six (6) consecutive years and the to extend the window to execute the Jobs Growth Incentive Agreement to 90 days after passage of this ordinance.

**Section 2.** That the Director of the Department of Development is hereby authorized to enter into a dual-rate Jobs Growth Incentive Agreement with Williams Lea, Inc. equal to (i) thirty-percent (30%) of the City of Columbus income tax withheld on the Columbus payroll of new employees and (ii) thirty-five percent (35%) of the City of Columbus income tax withheld on the Columbus payroll of new employees, who are also City of Columbus residents at the end of each calendar year, for a term of up to six (6) consecutive years.

**Section 3.** That the City of Columbus Jobs Growth Incentive Agreement is signed by Williams Lea Inc. within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.

**Section 4.** That Sections 1 and 4 of Ordinance 1839-2019 are hereby repealed and replaced as provided herein.

**Section 5.** 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 passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.