



Legislation Text

File #: 2973-2019, **Version:** 1

Background: This legislation authorizes the Director of Finance and Management to execute those documents necessary to amend the Agreement for Lease of Real Property for Agricultural Purposes, dated December 1, 2016, with Jeffrey L. Writsel to reduce the tillable acreage of the Leased Premises used for farming around the Southerly Wastewater Treatment Plant (SWWTP) and Compost Facility for the 2020 farming season. The Department of Public Utilities has planned a facility expansion of the SWWTP that will begin construction in 2020 thus necessitating the need to reduce the tillable acreage leased to Mr. Writsel by 18.8 acres. This reduction in size of the Leased Premises will result in a \$2,820.00 reduction in annual rental income.

Fiscal Impact: The City's annual lease income will be reduced by \$2,820.00.

Emergency Action: This legislation is presented as emergency in order to properly identify the fields and acreage and to allow for field preparation the 2020 farming season, which is to begin December 1, 2019.

To authorize the Director of Finance and Management to execute an amendment to the Agreement for Lease of Real Property for Agricultural Purposes with Jeffrey L. Writsel to reduce the acreage of land leased for farming purposes, and to declare an emergency.

WHEREAS, the Department of Finance and Management, through its Real Estate Management Office, leases to Jeffrey L. Writsel on behalf of the Department of Public Utilities, 295 tillable acres around the Southerly Wastewater Treatment Plant (SWWTP) and Compost Facility for farming purposes; and

WHEREAS, a Department of Public Utilities construction project at SWWTP Plant is scheduled to begin in 2020 that will require the use of 18.8 tillable acres presently leased to and farmed by Mr. Writsel thus necessitating that the current lease be amended to deduct approximately 18.8 tillable acres from the Leased Premises and to reflect the associated reduction in annual rent; and

WHEREAS, it is necessary to amend the lease to reflect the reduction in the leased acreage from 295 tillable acres to 276.2 tillable acres and reduce the associated annual rent from \$44,250.00 to \$41,430.00, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize the Director to execute the First Amendment to Lease Agreement for Use of Real Property for Agricultural Purposes with Jeffrey L. Writsel, in order to properly identify the fields and acreage and to allow for field preparation the 2020 farming season, which is to begin December 1, 2019, for the preservation of 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 Finance and Management be, and hereby is, authorized to execute those documents as prepared and approved by the Department of Law, Real Estate Division, necessary to modify the existing the Agreement for Lease of Real Property for Agricultural Purposes, dated December 1, 2016, by and between the City of Columbus and to Jeffrey L. Writsel to reduce the size of the Leased Premises by 18.8 acres amend the rent to reflect the reduced tillable acreage and to amend any other necessary provisions.

SECTION 2. That the City Auditor is authorized to make any accounting changes necessary to ensure that this lease is properly accounted for and recorded accurately on the City's financial records.

SECTION 3. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes the same.