



Legislation Text

File #: 1220-2022, **Version:** 1

BACKGROUND: Columbus City Council (“Council”), by Ordinance No. 2658-2021 (the “**Ordinance**”) approved on November 15, 2021, authorized the Director of the Department of Development of the City of Columbus (“City”) to enter into a Jobs Growth Incentive Agreement (“the Agreement”) with NetJets Inc. (the “Grantee”) for an annual cash payment equal to (i) twenty-five percent (25%) of the City of Columbus income tax withheld on the Columbus payroll of new employees and (ii) thirty percent (30%) of the City of Columbus income tax withheld on the Columbus payroll of new employees, who are also City of Columbus residents for a term of up to five (5) consecutive years on the estimated job creation of 154 net new full-time permanent positions with an annual payroll of \$12,735,000 and the retention of 1,516 full-time permanent positions with an annual payroll of \$126,231,635 to be located at 4111 Bridgeway Park, Columbus, Ohio 43219, parcel number 010-290126 (the “**Project Site**”).

Prior to the execution of the Agreement, in a written communication received from the Grantee dated February 8, 2022, the Department of Development was notified that the Project Site in the legislation was incorrectly listed. Subsequently, the Ordinance was amended by Ordinance No. 0878-2022 (“**Second Ordinance**”), passed by Council on March 28, 2022 to (i) revise the 90-day window needed to execute the Agreement to 90 days after the passage of the **Second Ordinance**, (ii) revised the Project Site address from 4111 Bridgeway Park to 4111 Bridgeway Avenue, Columbus Ohio 43219, 010-290126 and added an additional location, 4151 Bridgeway Avenue, Columbus, Ohio 43219, parcel numbers 010-290128 and 010-290129 (collectively, known as the “**Project Site**”), and (iii) added three additional entities as Grantees to the Agreement.

Subsequently, the needs exist to now amend the **Second Ordinance**. In a written communication received from the Grantee dated April 11, 2022, the Department of Development was notified that one of the parcel numbers associated with the Project Site was incorrectly listed in the **Second Ordinance**. The Grantee is requesting the **Second Ordinance** be amended to correct one of the parcel numbers associated with the Project Site. The Project Site should have included 4111 Bridgeway Avenue, Columbus, Ohio 43219, parcel number 010-290126 and 4151 Bridgeway Avenue, Columbus, Ohio 43219, parcel numbers 010-290128 and 520-290129, not parcel number 010-290129. The Grantee will create and retain employees in two separate facilities that are jointly connected, but have two different addresses. This change will not impact the scope of the project as authorized by Columbus City Council. All job retention, job creation, and investment commitments remain unchanged.

This legislation is requested to be considered as an emergency in order to (i) revise the 90-day period needed to execute the City of Columbus Jobs Growth Incentive Agreement to 90-days after passage from this ordinance and (ii) to revise the Project Site to 4111 and 4151 Bridgeway Avenue, Columbus, Ohio 43219, parcel numbers 010-290126, 010-290128 and 520-290129, in as expedient a manner as possible so as to allow for the inclusion of the employees located at these additional entities for the reporting and compliance purposes.

FISCAL IMPACT:

No funding is required for this legislation.

To amend Ordinance No. 0878-2022, approved by Columbus City Council on March 28, 2022, for the purposes of: (i) revising the 90-day period needed to execute the City of Columbus Jobs Growth Incentive Agreement to 90 days after passage from this ordinance and (ii) to revise the Project Site to 4111 and 4151 Bridgeway Avenue, Columbus, Ohio 43219, parcel numbers 010-290126, 010-290128 and 520-290129; and to declare an emergency. (

WHEREAS, Columbus City Council (“Council”), by Ordinance No. 2658-2021 (the “**Ordinance**”) approved on November 15, 2021, authorized the Director of the Department of Development of the City of Columbus (“City”) to enter into a Jobs Growth Incentive Agreement (“the Agreement”) with NetJets Inc. (the “Grantee”) for an annual cash payment equal to (i) twenty-five percent (25%) of the City of Columbus income tax withheld on the Columbus payroll of new employees and (ii) thirty percent (30%) of the City of Columbus income tax withheld on the Columbus payroll of new employees, who are also City of Columbus residents for a term of up to five (5) consecutive years on the estimated job creation of 154 net new full-time permanent positions with an annual payroll of \$12,735,000 and the retention of 1,516 full-time permanent positions with an annual payroll of \$126,231,635 to be located at 4111 Bridgeway Park, Columbus, Ohio 43219, parcel number 010-290126 (the “Project Site”); and

WHEREAS, prior to the execution of the Agreement, in a written communication received from the Grantee dated February 8, 2022, the Department of Development was notified that the Project Site in the legislation was incorrectly listed. Subsequently, the Ordinance was amended by Ordinance No. 0878-2022 (“**Second Ordinance**”), passed by Council on March 28, 2022 to (i) revise the 90-day window needed to execute the Agreement to 90 days after the passage of the Second Ordinance, (ii) revise Project Site address from 4111 Bridgeway Park to 4111 Bridgeway Avenue, Columbus Ohio 43219, 010-290126 and added an additional location, 4151 Bridgeway Avenue, Columbus, Ohio 43219, parcel numbers 010-290128 and 010-290129 (collectively, known as the “**Project Site**”), and (iii) added three additional entities as Grantees to the Agreement; and

WHEREAS, the need exists to now amend the **Second Ordinance**, which was approved by Columbus City Council on March 28, 2022; and

WHEREAS, in a written communications received from the Grantee dated April 11, 2022, the Department of Development was notified that one of the parcel numbers associated with the Project Site was incorrectly listed in the **Second Ordinance**. The Grantee is requesting the **Second Ordinance** be amended to correct one of the parcel numbers associated with the **Project Site**. The **Project Site** should have included 4111 Bridgeway Avenue, Columbus, Ohio 43219, parcel number 010-290126 and 4151 Bridgeway Avenue, Columbus, Ohio 43219, parcel numbers 010-290128 and 520-290129, and not parcel number 010-290129; and

WHEREAS, the Grantee will create and retain employees in two separate facilities that are jointly connected, but have two different addresses and three different parcel numbers. This change will not impact the scope of the project as authorized by Columbus City Council. All job retention, job creation, and investment commitments remain unchanged; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to seek an amendment from Columbus City Council for Ordinance No. 0878-2022 to (i) revise the window to execute the Agreement to 90 days after passage from this ordinance, and (ii) to revise the Project Site to 4111 and 4151 Bridgeway Avenue, Columbus, Ohio 43219, parcel numbers 010-290126, 010-290128 and 520-290129, thereby preserving the public health, property, safety and welfare;
NOW THEREFORE,

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

SECTION 1. That Section 1 of Ordinance No. 0878-2022 is hereby amended to revise the 90-day window needed to execute the City of Columbus Jobs Growth Incentive Agreement to 90 days after the passage of this proposed ordinance.

SECTION 2. That Ordinance No. 0878-2022 is hereby amended to change the Project Site address to 4111 Bridgeway Avenue, Columbus, Ohio 43219, parcel number 010-290126 and 4151 Bridgeway Avenue, Columbus, Ohio 43219, parcel numbers 010-290128 and 520-290129.

SECTION 3. That the remaining terms of the Jobs Growth Incentive Agreement remain in full effect relative to the Ordinance.

SECTION 4. That the City of Columbus Jobs Growth Incentive Agreement be signed by NetJets Inc., NetJets Aviation, Inc. NetJets Services, Inc., and NJS145 LLC within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.

SECTION 5. For the reasons stated in the preamble hereto, which is 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 (10) days after passage if the Mayor neither approves nor vetoes the same.

