

**Columbus Consolidated Government
Council Meeting Agenda Item**

TO:	Mayor and Councilors
AGENDA SUBJECT:	Liberty Utilities License Agreement
AGENDA SUMMARY:	Approval is requested to enter into a License Agreement with Liberty Utilities and the Development Authority to utilize Parcel 9 in the Muscogee Technology Park as a “lay down” area for Liberty’s construction of nearby infrastructure.
INITIATED BY:	City Manager’s Office

Recommendation: Approval is requested to authorize the City Manager to enter into a License Agreement with Liberty Utilities and the Development Authority to utilize Parcel 9 in the Muscogee Technology Park as a “lay down” area for Liberty’s construction of nearby infrastructure.

Background: The Columbus Building Authority (CBA) is the owner of certain property commonly referred to as a portion of Muscogee Technology Park, described in that certain Quitclaim Deed from Columbus to CBA, recorded in Deed Book 10745, Page 141 in the Office of the Clerk of Superior Court of Muscogee County, Georgia. The CBA leases the property to Columbus pursuant to a Lease Agreement recorded in Deed Book 10745, Page 155, as amended. CBA’s ownership and the tenancy of Columbus is subject to the right of the Development Authority to request the release and transfer of portions of the property in support of economic development in Columbus, Muscogee County, Georgia. Liberty has requested that Columbus permit Liberty to use Parcel 9 of the Muscogee Technology Park for use as a “lay-down” area for Liberty’s construction of its nearby infrastructure. During discussions, the Authority and Liberty have determined that the best way to support Liberty’s expansion plans is to permit Liberty the use of Parcel 9 as a lay-down area for construction materials.

Analysis: Liberty Utilities will provide appropriate liability insurance and hold the city, the CBA and the Authority harmless for any and all damages or claims. The License Agreement, unless otherwise terminated, will expire on December 31, 2021.

Financial Considerations: There will be no financial impact.

Legal Considerations: The City Attorney has reviewed the License Agreement.

Recommendation/Action: Approval is requested to authorize the City Manager to enter into a License Agreement with Liberty Utilities and the Development Authority to utilize Parcel 9 in the Muscogee Technology Park as a “lay down” area for Liberty’s construction of nearby infrastructure.

A RESOLUTION

NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH LIBERTY UTILITIES AND THE DEVELOPMENT AUTHORITY.

WHEREAS, Liberty Utilities wishes to utilize Parcel 9 of the Muscogee Technology Park as a “lay down” area for Liberty’s construction of nearby infrastructure; and,

WHEREAS, the Columbus Building Authority (CBA) owns the certain properties located in the Columbus Technology Park; and,

WHEREAS, the City leases the property from the CBA.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF COLUMBUS, GEORGIA, AS FOLLOWS:

To authorize the City Manager to enter into a License Agreement with Liberty Utilities and the Development Authority.

Introduced at a regular meeting of the Council of Columbus, Georgia, held the _____ day of _____, 2021 and adopted at said meeting by the affirmative vote of _____ members of said Council.

- Councilor Allen voting _____.
- Councilor Barnes voting _____.
- Councilor Crabb voting _____.
- Councilor Davis voting _____.
- Councilor Garrett voting _____.
- Councilor House voting _____.
- Councilor Huff voting _____.
- Councilor Thomas voting _____.
- Councilor Tucker voting _____.
- Councilor Woodson voting _____.

Sandra T. Davis, Clerk of Council

B.H. “Skip” Henderson, Mayor