



Legislation Details (With Text)

File #: 2775-2012 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 12/3/2012 **In control:** Development Committee

On agenda: 12/17/2012 **Final action:** 12/19/2012

Title: To authorize the appropriation of \$750,000.00 from the Special Income Tax Fund to the City Auditor; to authorize the City Auditor to transfer said funds from the Special Income Tax Fund to the Westside Community Fund; to appropriate said funds within the Westside Community Fund; and to declare an emergency. (\$750,000.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/19/2012	1	CITY CLERK	Attest	
12/18/2012	1	MAYOR	Signed	
12/17/2012	1	COUNCIL PRESIDENT	Signed	
12/17/2012	1	Columbus City Council	Approved	Pass

Background: As part of the Consent Order and Settlement Agreement between the City of Columbus and Penn National Gaming, Inc., the parties agreed to create the Westside Community Fund by March 31, 2012. Each party agreed to contribute \$2.5 million to the Westside Community Fund, with the first payment of \$1 million made in 2012. Additional contributions of \$750,000 will be made by each party in 2013. The parties further agreed to each contribute \$500,000 in 2014 and \$250,000 in 2015.

The Westside Community Fund will be used for a variety of projects related to the neighborhood(s) immediately surrounding the Casino development and/or the citizens thereof, including but not limited to job training, minority affairs, economic development and/or capital projects.

This ordinance authorizes the appropriation and transfer of \$750,000.00 from the Special Income Tax Fund to the Westside Community Fund for the 2013 contribution.

Fiscal Impact: Monies have been accounted for in the Special Income Tax Fund.

To authorize the appropriation of \$750,000.00 from the Special Income Tax Fund to the City Auditor; to authorize the City Auditor to transfer said funds from the Special Income Tax Fund to the Westside Community Fund; to appropriate said funds within the Westside Community Fund; and to declare an emergency. (\$750,000.00)

WHEREAS, on June 6, 2011, Columbus City Council passed Ordinance 0889-2011, which authorized the execution of the Consent Order and Settlement Agreement in the case of CD Gaming v. City of Columbus, et al; and

WHEREAS, as a part of that settlement, the City of Columbus and Penn National Gaming, Inc. agreed to create the

Westside Community Fund by March 31, 2012; and

WHEREAS, each party agreed to contribute \$2.5 million to the Westside Community Fund, with the first payment of \$1 million in 2012; and

WHEREAS, the 2013 contribution is to be \$750,000; and

WHEREAS, the Westside Community Fund will be used for a variety of projects related to the neighborhood(s) immediately surrounding the Casino development and/or the citizens thereof, including but not limited to job training, minority affairs, economic development and/or capital projects; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that this Ordinance is required to be immediately effective in order to facilitate the timely and continuing development of the Westside Community and the resulting creation and retention of jobs, such immediate action being necessary for the preservation of the public health, peace, property and safety; and **NOW, THEREFORE**,

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

Section 1. That from the unappropriated balance of the Special Income Tax Fund No. 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purchase during the fiscal year ending December 31, 2012, sum of \$750,000 or so much thereof as may be necessary is hereby appropriated to the City Auditor, Div. No. 22-01, Object Level One 10, Object Level Three 5501, OCA 900043.

Section 2. That the City Auditor is hereby authorized to transfer said funds to Fund/Subfund 276-001, Westside Community Fund, Dept-Div 44-01, OCA 276001, Object Level Three 0886 at such time as is deemed necessary by the City Auditor.

Section 3. That the amount of \$750,000 or so much thereof as may be necessary is hereby appropriated within Fund/Subfund 276-001, Westside Community Fund, Dept/Div 44-01, OCA 276001, Object Level One 03, Object Level Three 3000.

Section 4. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

Section 5. 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 the passage if the Mayor neither approves nor vetoes the same.