



## Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed

**File created:** 9/15/2011      **In control:** Development Committee

**On agenda:** 9/26/2011      **Final action:** 9/27/2011

**Title:** To authorize the Director of the Department of Development to enter into an Economic Development Agreement with the City of New Albany, Ohio; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/27/2011	1	MAYOR	Signed	
9/27/2011	1	CITY CLERK	Attest	
9/26/2011	1	COUNCIL PRESIDENT	Signed	
9/26/2011	1	Columbus City Council	Approved	Pass

**Background:** In 2001, Columbus City Council authorized the modification of the sewer and water agreements between the City of Columbus and the Village of New Albany. Specifically the water and sewer agreements exclusive annexation boundaries were changed to permit New Albany to annex 1,600 acres on its eastern boundary into Licking County. The City received an exclusive eastern growth corridor, north of New Albany. City Council also approved an Economic Development Agreement between the City and the Village that addressed financial terms that were agreed upon as part of the water and sewer contract modification.

The City has been approached by New Albany to modify the water and sewer agreements and expand the exclusive annexation area within Licking County by 2,426 acres. The result of which is a new economic development agreement to address the expanded area.

This ordinance authorizes the Director of the Department of Development to enter into an Economic Development Agreement with the City of New Albany relating to the development of approximately 2,426 acres located along New Albany's eastern boundary within Licking County, north of Morse Road and south of Miller Road. As a result of this agreement it is proposed that the New Albany Sewer and Water Contracts be amended to include within the New Albany service area the approximately 2,426 acres. The economic development agreement will provide for sharing of the income tax revenue generated from the property to be annexed. The City of Columbus will also receive equity payments of \$6,000 per acre upon commencement of commercial development.

**Fiscal Impact:** No funding is required for this legislation.

To authorize the Director of the Department of Development to enter into an Economic Development Agreement with the City of New Albany, Ohio; and to declare an emergency.

**Whereas**, the City and New Albany have cooperated to provide shared development and growth opportunities for the two communities; and

**Whereas**, the City and New Albany recognize the importance of planning for future growth of the two communities and of working cooperatively on issues relating to economic development as well as utilizing community resources for responsible growth and development opportunities beneficial to both Columbus and New Albany; and

**Whereas**, it is anticipated that approximately 2,426 acres adjacent to the City of New Albany will become annexed to the City of New Albany; and

**Whereas**, the City and New Albany have agreed to amend (i) that certain contract between Columbus and New Albany for water service, originally entered into on the 14th day of September, 1998 (as the same was amended on May 9, 1995, July 21, 1998 and July 23, 2001) (as amended, the "Water Service Contract"), and (ii) that certain contract between Columbus and New Albany for sewage disposal services originally entered into on the 14<sup>th</sup> day of September 1998 (as the same was amended on January 26, 1993, May 9, 1995, July 21, 1998 and July 23, 2001) (as amended, the "Sewer Service Contract"), in each case to further provide for water and sanitary sewer infrastructure and service serving the "New Revenue/Equity Sharing Area"; and

**Whereas**, the City and New Albany have agreed to establish an area to be called the "New Revenue/Equity Sharing Area" wherein New Albany will have the exclusive right to annex the property, the Parties will share net income tax generated within the New Revenue/Equity Sharing Area, and New Albany will pay to Columbus certain equity share payments for future development in the New Revenue/Equity Sharing Area; and

**Whereas**, the City and New Albany have agreed to work cooperatively and to compensate the other community upon the relocation of certain businesses within designated "Non-Compete Areas" of the respective communities; and

**Whereas**, the City and New Albany have agreed that a new water tower is needed in the area of the New Revenue/Equity Sharing Area, and the City will reimburse New Albany for a portion of the design and construction cost; and

**Whereas**, the City and New Albany will enter into a separate Reimbursement Agreement for the Water Tower that will be subject to approval by Columbus City Council; and

**Whereas**, the City and New Albany have agreed to work cooperatively on other important regional growth and safety issues to assure that regional growth and development is served properly and environmentally responsibly by centralized sewer systems; and

**Whereas**, the City and New Albany recognize that additional sewer infrastructure will be needed to accomplish this, and each City will need to be responsible for certain portions of the sewer; and

**Whereas**, the City and New Albany acknowledge the public purpose and value to both communities in cooperating in the development of the region, and in sharing financially in the region's economic growth and prosperity; and

**Whereas**, an emergency exists in the usual daily operation of the City of Columbus, Department of Development that this Ordinance is required to be immediately effective in order to facilitate the timely and continuing development of the New Revenue/Equity Sharing Area and the resulting creation and retention of jobs, such immediate action being necessary for the preservation of the public health, peace, property and safety; **NOW, THEREFORE**,

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

**Section 1.** That the Director of the Department of Development is authorized to enter an Economic Development

Agreement with the City of New Albany, Ohio to provide for the sharing of income tax revenue and certain equity share payments generated from property located in the New Revenue/Equity Sharing Area to be annexed by New Albany.

**Section 2.** 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.