



Legislation Details (With Text)

File #: 1304-2005 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 7/8/2005 **In control:** Jobs and Economic Development Committee

On agenda: 7/25/2005 **Final action:** 7/27/2005

Title: To authorize the release of \$6,000,000 of 2004 Series A Bond monies on deposit in the RiverSouth Authority Project Fund in support of continuing improvements to the former Lazarus properties to prepare them for reuse by new tenants; and to reappoint two members of the Board of Trustees of The RiverSouth Authority.

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|------------------------------------|--------|
| 7/27/2005 | 1 | MAYOR | Signed | |
| 7/27/2005 | 1 | CITY CLERK | Attest | |
| 7/25/2005 | 1 | Columbus City Council | Approved | Pass |
| 7/25/2005 | 1 | COUNCIL PRESIDENT | Signed | |
| 7/18/2005 | 1 | Columbus City Council | Read for the First Time | |
| 7/8/2005 | 1 | Dev Drafter | Sent for Approval | |
| 7/8/2005 | 1 | DEVELOPMENT DIRECTOR | Reviewed and Approved | |
| 7/8/2005 | 1 | Dev Drafter | Sent for Approval | |
| 7/8/2005 | 1 | CITY ATTORNEY | Reviewed and Approved | |
| 7/8/2005 | 1 | Dev Drafter | Sent to Clerk's Office for Council | |

BACKGROUND: In June 2004, in response to a petition from the Columbus Downtown Development Corporation ("CDDC"), this Council approved the creation of The RiverSouth Authority (the "Authority") and made initial appointments to its Board of Trustees. The Authority then entered into a Master Lease Agreement and a First Supplemental Lease Agreement with the City in support of the Authority's issuance of its \$37,870,000 RiverSouth Area Redevelopment Bonds, 2004 Series A (the "2004 Series A Bonds") to pay costs of CDDC's acquisition of the former Lazarus properties and redevelopment initiatives in and for the RiverSouth District. Under that First Supplemental Lease, City Council approval is required for the Authority's release of certain proceeds of the 2004 Series A Bonds currently held in Authority's RiverSouth Project Fund. This ordinance authorizes the release of \$6,000,000 currently on deposit in the Authority's Project Fund to pay costs of the additional improvements to the former Lazarus properties which are now necessary to prepare them for reuse by new tenants, and also reappoints two members of the Authority's Board of Trustees.

FISCAL IMPACT: No funding is required for the legislation.

To authorize the release of \$6,000,000 of 2004 Series A Bond monies on deposit in the RiverSouth Authority Project Fund in support of continuing improvements to the former Lazarus properties to prepare them for reuse by new tenants; and to reappoint two members of the Board of Trustees of The RiverSouth Authority.

WHEREAS, in order to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the City of Columbus, Ohio (the "City"), this Council desires to provide for the continued redevelopment and revitalization of that certain area situated within the corporate limits of the City, being generally the area of the City's downtown and surrounding areas known as the "RiverSouth Area"; and

WHEREAS, to further the redevelopment and revitalization of the RiverSouth Area the Columbus Downtown Development Corporation ("CDDC") petitioned this Council for the creation of The RiverSouth Authority (the "Authority") as a new community authority pursuant to Chapter 349 of the Ohio Revised Code (the "Revised Code"), and by adoption of its Resolution No. 1007-2004 on June 21, 2004, this Council approved the creation of that Authority and appointed five members of its Board of Trustees; and

WHEREAS, pursuant to Ordinance No. 1009-2004 passed by this Council on June 21, 2004, the City then entered into a Master Lease Agreement and a First Supplemental Lease Agreement (the "First Supplemental Lease") with the Authority in support of the Authority's issuance of its \$37,870,000 RiverSouth Area Redevelopment Bonds, 2004 Series A, to pay costs of CDDC's acquisition of certain former Lazarus properties and redevelopment initiatives in and for the RiverSouth Area, with that First Supplemental Lease providing for City Council approval prior to the release of certain proceeds of those 2004 Series A Bonds; and

WHEREAS, CDDC has requested this Council approve the release of \$6,000,000 of 2004 Series A Bond proceeds currently on deposit in the Authority's Project Fund to pay costs of additional improvements to the former Lazarus properties to prepare them for reuse by new tenants; and

WHEREAS, this Council also desires to reappoint for full two year terms the two members of the Board of Trustees of The RiverSouth Authority who were appointed to initial one years terms in City Council Ordinance No. 1007-2004 passed June 21, 2004;
Now, Therefore,

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

Section 1. That pursuant to Section 2 of the First Supplemental Lease between the City and the Authority, this Council hereby authorizes the release of \$6,000,000 of 2004 Series A Bond proceeds on deposit in the Authority's Project Fund to pay additional costs of improvements to the former Lazarus properties. The Director of Development, for and in the name of the City, and other appropriate officials of the City, are hereby authorized to execute any documents or other instruments and to take any other actions as may be appropriate to implement this release for those purposes.

Section 2. That the City appoints the following two individuals to serve on the Board of Trustees of The RiverSouth Authority, each in the position and for the term indicated beside such member's respective name:

| | |
|--------------------|----------------------------|
| Theresa J. Gehr | Citizen Member 2 year term |
| Lawrence C. Sowers | Citizen member 2 year term |

Section 3. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in formal actions were in meetings open to the public in compliance with the law.

Section 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.