



Legislation Details (With Text)

File #: 1578-2009 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/13/2009 **In control:** Development Committee

On agenda: 12/7/2009 **Final action:** 12/9/2009

Title: To authorize the Director of Finance and Management or the Mayor to execute on behalf of the City a Cooperative Agreement among the Franklin County Convention Facilities Authority, Franklin County, and the City describing the parties' agreements regarding the acquisition, construction, installation, equipping and financing of a full-service convention center hotel; to amend Chapter 2155 of the Columbus City Codes, 1959, by the enactment of new Section 2155.11 to provide for the creation of the City's Parking Meter Contribution Fund in order to comply with the terms of the Cooperative Agreement; to amend Chapter 371 of the Columbus City Codes, 1959, by the enactment of new Section 371.18 to provide for the payment of the hotel-motel excise taxes receipts attributed to the convention center hotel to the Franklin County Convention Facilities Authority for use as required under the terms of the Cooperative Agreement; and to declare an emergency. Section 55(b) of the City Charter.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/9/2009	1	CITY CLERK	Attest	
12/8/2009	1	MAYOR	Signed	
12/7/2009	1	Columbus City Council	Approved	Pass
12/7/2009	1	COUNCIL PRESIDENT PRO-TEM	Signed	
11/23/2009	1	Finance Drafter	Sent to Clerk's Office for Council	
11/20/2009	1	Auditor Reviewer	Reviewed and Approved	
11/20/2009	1	CITY AUDITOR	Reviewed and Approved	
11/20/2009	1	Finance Drafter	Sent for Approval	
11/20/2009	1	CITY ATTORNEY	Reviewed and Approved	
11/19/2009	1	Finance Reviewer	Sent for Approval	
11/19/2009	1	FINANCE DIRECTOR	Reviewed and Approved	
11/19/2009	1	Finance Drafter	Sent for Approval	
11/18/2009	1	Finance Drafter	Sent for Approval	

The City of Columbus, Ohio (the "City") has been engaged in cooperative efforts with the Franklin County Convention Facilities Authority (the "Authority"), and the County of Franklin, Ohio (the "County") to facilitate the acquisition, construction, installation and equipping of a full-service convention center hotel on High Street, in Columbus, Ohio across from the existing Columbus Convention Center. The establishment of a publicly-owned full-service convention center hotel will increase the number of convention-quality hotel rooms and convention space available in the City in order to attract more and larger conventions, resulting in substantial public and economic benefits to the City, the Authority and the County. This ordinance will authorize the Director of

Finance and Management or the Mayor to execute the Cooperative Agreement on behalf of the City and to approve additions, changes or amendments to such document, which would not substantially amend or increase the duties of the City as set forth in the version of the Cooperative Agreement currently on file. This ordinance also amends Chapter 2155 and Chapter 371 of the Columbus City Codes, 1959, by the enactment of new Sections 2155.11 and 371.18 respectively as set forth herein.

This legislation is being submitted for approval under Section 55 (B) of the Columbus City Charter. Request is being made to waive second reading for passage due to the fact that the Authority is preparing to issue bonds to finance the convention center hotel described herein, which bonds are to be secured, in part, by the revenues provided for by this Ordinance.

Fiscal Impact: This legislation establishes the City Parking Meter Contribution Fund, and is further directed to deposit into such fund, City Incremental Parking Meter Revenues (as defined herein below) as required by the Cooperative Agreement to maintain a balance of at least \$1,400,000 in such fund.

To authorize the Director of Finance and Management or the Mayor to execute on behalf of the City a Cooperative Agreement among the Franklin County Convention Facilities Authority, Franklin County, and the City describing the parties' agreements regarding the acquisition, construction, installation, equipping and financing of a full-service convention center hotel; to amend Chapter 2155 of the Columbus City Codes, 1959, by the enactment of new Section 2155.11 to provide for the creation of the City's Parking Meter Contribution Fund in order to comply with the terms of the Cooperative Agreement; to amend Chapter 371 of the Columbus City Codes, 1959, by the enactment of new Section 371.18 to provide for the payment of the hotel-motel excise taxes receipts attributed to the convention center hotel to the Franklin County Convention Facilities Authority for use as required under the terms of the Cooperative Agreement; and to declare an emergency. Section 55(b) of the City Charter.

WHEREAS, the City of Columbus, Ohio (the "City") has been engaged in cooperative efforts with the Franklin County Convention Facilities Authority (the "Authority"), and the County of Franklin, Ohio (the "County") to facilitate the acquisition, construction, installation and equipping of a full-service convention center hotel on High Street, in Columbus, Ohio across from the existing Columbus Convention Center; and

WHEREAS, the establishment of a publicly-owned full-service convention center hotel will increase the number of convention-quality hotel rooms and convention space available in the City in order to attract more and larger conventions, resulting in substantial public and economic benefits to the City, the Authority and the County; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to adopt this Ordinance as an emergency measure due to the fact that the Authority is preparing to issue bonds to finance the convention center hotel described herein, which bonds are to be secured by payments to be made by the County which are to be reimbursed, in part, by the revenues provided for by this Ordinance, and it is therefore necessary for this Ordinance to be effective immediately, and to ensure the preservation of the public health, peace, property, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That this Council hereby approves the form of cooperative agreement (the "Cooperative Agreement") among the Authority, the County and the City on file with the Clerk of Council describing the parties' agreements regarding the acquisition, construction, installation, equipping and financing of a full-service convention center hotel to be located on High Street, in Columbus, Ohio across from the existing Columbus Convention Center. The Director of Finance and Management or the Mayor are authorized to execute the Cooperative Agreement on behalf of the City and to approve additions, changes or amendments to such document, which would not substantially amend or increase the duties of the City as set forth in the version of the Cooperative Agreement currently on file.

Section 2. That in order to comply with the City's obligations under Section 3.3 of the Cooperative Agreement, the City Auditor is hereby authorized and directed to establish the City Parking Meter Contribution Fund, and is further directed to deposit into such fund, City Incremental Parking Meter Receipts (as defined hereinbelow) as required by the Cooperative Agreement to maintain a balance of at least \$1,400,000 in such fund.

As used in this Section 2 hereof:

"City Incremental Parking Meter Receipts" means the incremental increase of receipts from fees and charges imposed by the City for street and off-street parking meters collected by the City as a result of an increase in rates charged after November 1, 2009.

Section 3. That Chapter 2155 of the Columbus City Codes, 1959, is hereby amended by the enactment of new Section 2155.11, to read as follows:

2155.11 Parking Meter Contribution Fund.

There is hereby created the City Parking Meter Contribution Fund into which City Incremental Parking Meter Receipts shall be deposited in the amounts necessary to maintain a balance of at least \$1,400,000 in such fund, to the extent necessary to satisfy the City's obligations under Section 3.3 of the Cooperative Agreement among the Franklin County Convention Facilities Authority, the County of Franklin, Ohio and the City concerning the acquisition, construction, installation, equipping and financing of a full-service convention center hotel to be located on High Street, in Columbus, Ohio, across from the existing Columbus Convention Center. City Incremental Parking Meter Receipts means the incremental increase of receipts from fees and charges imposed by the City for street and off-street parking meters collected by the City as a result of any increase in rates charged after November 1, 2009.

Section 4. That Chapter 371 of the Columbus City Codes, 1959, is hereby amended by the enactment of new Section 371.18, to read as follows:

371.18 Convention Center Hotel.

Subject to Section 371.02(C)(1), Hotel-Motel Excise Taxes receipts attributed to the full-service convention center hotel located on High Street, in Columbus, Ohio across from the existing Columbus Convention Center shall be paid to the Franklin County Convention Facilities Authority for use as directed under Section 3.4 of the Cooperative Agreement among the City, the County of Franklin and the Franklin County Convention Facilities Authority governing the acquisition, construction, installation, equipping and financing of such full-service convention center hotel.

Section 5. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 6. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, and for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety and therefore, except as otherwise provided herein, shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.