



Legislation Details (With Text)

File #: 1508-2010 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/12/2010 **In control:** Development Committee

On agenda: 10/25/2010 **Final action:** 10/27/2010

Title: To authorize and direct the Clerk of Council to execute and sign a petition on behalf of the City of Columbus to be presented to the Board of County Commissioners of Franklin County, Ohio by Hilliard Grand Apartments, LLC to create a new community authority named the "West Hilliard Community Authority" under Ohio Revised Code Chapter 349 for the benefit of the City of Hilliard; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/27/2010	1	CITY CLERK	Attest	
10/26/2010	1	ACTING MAYOR	Signed	
10/25/2010	1	Columbus City Council	Approved	Pass
10/25/2010	1	COUNCIL PRESIDENT	Signed	
10/12/2010	1	Dev Drafter	Sent for Approval	
10/12/2010	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
10/12/2010	1	Dev Drafter	Sent for Approval	
10/12/2010	1	CITY ATTORNEY	Reviewed and Approved	
10/12/2010	1	Dev Drafter	Sent to Clerk's Office for Council	

BACKGROUND: Hilliard Grand Apartments, LLC (the "Developer") owns or controls approximately 85.34± acres in the City of Hilliard, Franklin County, Ohio, and has requested that the City of Columbus, Ohio (the "City") execute and sign a petition in its capacity as the proximate city to be presented to the Board of County Commissioners of Franklin County, Ohio to create a new community authority under the provisions of Ohio Revised Code Chapter 349 for the benefit of the City of Hilliard. The City of Hilliard has recommended and supports the creation of the new community authority. The City of Columbus is a "proximate city" under Ohio Revised Code Chapter 349 as the largest city in the county, and the City's approval for the creation of such authority is required in order to proceed.

A proposed petition has been presented in its entirety to the City, and an explanation of the proposed new community authority has been made to City officers by the Developer and the Developer's counsel, and such proposed petition is on file with the Clerk of Council.

Emergency action is requested to allow the Developer to file the petition prior to the next meeting of the County Commissioners and to allow quick completion of the process so collection of assessments can begin immediately.

FISCAL IMPACT: No funding is required for this legislation.

To authorize and direct the Clerk of Council to execute and sign a petition on behalf of the City of Columbus to be presented to the Board of County Commissioners of Franklin County, Ohio by Hilliard Grand Apartments, LLC to create a new community authority named the "West Hilliard Community Authority" under Ohio Revised Code Chapter 349 for the benefit of the City of Hilliard; and to declare an emergency.

WHEREAS, Hilliard Grand Apartments, LLC (the "Developer") owns or controls approximately 85.34± acres in the City of Hilliard, Franklin County, Ohio, and has requested that the City of Columbus, Ohio (the "City") execute and sign a petition (the "Petition") to be presented to the Board of County Commissioners of Franklin County, Ohio to create a new community authority (the "Authority") under the provisions of Ohio Revised Code Chapter 349 for the benefit of the City of Hilliard; and

WHEREAS, the City of Hilliard has recommended and supports the creation of the Authority; and

WHEREAS, the City is a "proximate city" under Ohio Revised Code Chapter 349 as the largest city in Franklin County, and the City's approval for the creation of the Authority is required in order to proceed; and

WHEREAS, the Petition has been presented in its entirety to the City, and an explanation of the proposed Authority has been made to City officers by the Developer and the Developer's counsel, and such Petition is on file with the Clerk of City of Columbus Council; and

WHEREAS, emergency action is requested to allow the Developer to file the petition prior to the next meeting of the County Commissioners and to allow quick completion of the process so collection of assessments can begin immediately; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is necessary for the City Clerk to sign said Petition, thereby preserving the public health, peace, property safety and welfare. **NOW, THEREFORE**,

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

Section 1. That the City of Columbus approves the establishment of the Authority named the "West Hilliard Community Authority."

Section 2. That the Clerk of Council be and is hereby directed and authorized to execute and sign the Petition on behalf of the City of Columbus and the Columbus City Council, a proposed draft copy which is on file with the Clerk of Council, to be presented to the Board of County Commissioners of Franklin County, Ohio pursuant to Ohio Revised Code Chapter 349 to create a new community authority for the benefit of the City of Hilliard. Any changes to the Petition shall not be inconsistent with this Ordinance and not substantially adverse to the City. The approval of such changes by the Clerk of Council and that such changes are not substantially adverse to the City shall be conclusively evidenced by the execution of the Petition by the Clerk of Council.

Section 3. That 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 in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4. That the City's approval incorporates by references within this Ordinance the Petition and all exhibits thereto.

Section 5. That for reasons stated in the preamble hereto, which is 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 passage if the Mayor neither approves nor vetoes the same.