



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

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**File #: 0822-2008, Version: 1**

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**BACKGROUND:** This ordinance provides the method of selecting the board of trustees of the One Neighborhood New Community Authority, appoints the four members of its board of trustees to be appointed by the City, and fixes the surety for the trustees' bonds.

This ordinance is being submitted as an emergency in order to comply with the conditions set forth in Chapter 349 of the Ohio Revised Code for selecting the board of trustees for a newly established community authority.

**FISCAL IMPACT:** No funding is required for this legislation.

To provide the method of selecting the board of trustees of the One Neighborhood New Community Authority; to appoint the three members of the board of trustees to be appointed by the city as citizen members and the one member of the board of trustees to be appointed by the City as the representative of local government; to fix the surety for the trustees' bonds; and to declare an emergency.

**WHEREAS**, pursuant to Chapter 349 of the Ohio Revised Code, a petition (the "*Petition*") for the establishment of the One Neighborhood New Community Authority (the "*ONNCA*") to govern One Neighborhood New Community District (the "*District*") was filed with the office of the Clerk of the Columbus City Council prior to the date hereof; and

**WHEREAS**, the Petition has been filed in the office of the clerk of the Franklin County Board of Commissioners and the City Clerk's office as required by Chapter 349 of the Ohio Revised Code; and

**WHEREAS**, the "organizational board of commissioners," as that term is defined in Section 349.01(F) of the Ohio Revised Code, for the proposed ONNCA is comprised solely of the Columbus City Council; and

**WHEREAS**, City Council enacted Ordinance No. 0382-2008 on March 17, 2008, which ordinance directed the City Clerk to execute and sign the Petition on behalf of the City of Columbus and the Columbus City Council; and

**WHEREAS**, City Council enacted Ordinance No. 0595-2008 on April 14, 2008, which ordinance determined that the Petition complies with the requirements of Chapter 349.03(A) of the Ohio Revised Code and fixed the time and place for a hearing on the establishment of the ONNCA; and

**WHEREAS**, pursuant to Section 349.03(A) of the Ohio Revised Code, the Columbus City Council, as the organizational board of commissioners, held a public hearing on the Petition on May 5, 2008, after public notice was duly published in accordance with Section 349.03 of the Ohio Revised Code; and

**WHEREAS**, City Council enacted Ordinance 0791-2008 on May 12, 2008, which ordinance determined that the District will be conducive to the public health, safety, convenience, and welfare and is intended to result in the development of a new community as defined in Section 349.01(A) of the Ohio Revised Code and declared the ONNCA organized and a body politic and corporate; and

**WHEREAS**, an emergency exists in that the board of trustees of the ONNCA must be appointed immediately so that the organization of the new community authority may proceed expeditiously in order to permit continuation of the construction of improvements on the site and provide financing therefore, all to serve the new community authority and its future residents, said immediate action being in the interest of the City in order to preserve, enhance, and protect public health, peace, property, and safety; **NOW THEREFORE**,

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

**Section 1.** The Board of Trustees of the ONNCA shall be composed of seven members selected as provided in the Petition.

**Section 2.** The City appoints the following four members to serve on the Board of Trustees of the ONNCA, each in the position and for the term indicated beside such member's respective name:

Kevin Wood	Citizen Member	2 year term
Peter James	Citizen Member	1 year term
John Sowers	Citizen Member	1 year term
Diann R. Johnson	Local Government Representative	2 year term

**Section 3.** Gay Street Condominium, LLC (the "*Developer*") shall appoint the remaining three members to serve on the Board of Trustees of the ONNCA as representatives of the Developers and shall designate one of those members to serve an initial two-year term. Those appointments and designations shall be in writing filed with the City Clerk within ten days after the passage of this Ordinance.

**Section 4.** Pursuant to Section 349.04 of the Ohio Revised Code, there shall be posted for each member of the Board of Trustees of the ONNCA a bond in the amount of \$10,000 for the faithful performance of his or her duties. That bond shall be with a company authorized to conduct business within the State of Ohio as a surety and shall be deposited with and preserved by the City Clerk.

**Section 5.** For the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is 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.