



City of Columbus

Office of City Clerk
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Legislation Text

File #: 0493-2015, **Version:** 1

BACKGROUND: By Ordinance 0349-2005 passed April 4, 2005, the Columbus City Council established the Hayden Run North & Hayden Run South Tax Increment Finance Areas (TIF Areas) pursuant to Section 5709.40(C) of the Ohio Revised Code, declared the improvements to certain parcels located within those TIF Areas to be a public purpose and exempt from taxation, provided for the owner of each parcel to make annual service payments in lieu of taxes, and provided for the non-school portion of those service payments to be paid to the City for deposit into the Hayden Run North & Hayden Run South Municipal Public Improvement Tax Equivalent Funds (TIF Funds) established in Ordinance 0349-2005. This ordinance provides for the appropriation of monies on deposit in those TIF Funds to be used to fund public infrastructure improvements in accordance with Ordinance 0349-2005 and the related Memorandum of Understanding (MOU), which was executed November 22, 2004.

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

To appropriate monies on deposit in the Hayden Run North & Hayden Run South Municipal Public Improvement Tax Equivalent Funds to be used to fund public infrastructure improvements benefiting or serving the Hayden Run Blvd. TIF Areas and further described in a Memorandum of Understanding executed November 22, 2004.

WHEREAS, by its Ordinance 0349-2005 passed April 4, 2005 (the “TIF Ordinance”), this Council established the Hayden Run North & Hayden Run South Tax Increment Finance Areas (the “TIF Areas”) pursuant to Section 5709.40(C) of the Ohio Revised Code, declared 100% of the increase in assessed value of certain parcels located within that Incentive Area (which increase in assessed value is referred to as the “Improvement,” as further defined in Section 5709.40(A) of the Ohio Revised Code) to be a public purpose and exempt from real property taxation, provided for the owner of certain parcels to make annual service payments in lieu of real property tax payments, including any penalties and interest (collectively, the “Service Payments”), and provided for the non-school portion of those Service Payments to be paid to the City for deposit into the Hayden Run North & Hayden Run South Tax Equivalent Fund established in that TIF Ordinance (the “TIF Fund”) to fund certain public infrastructure improvements described in the TIF Ordinance which, once made, will benefit or serve the Incentive Areas (with those improvements, as further described in the MOU referred to below, hereinafter referred to as the “Public Infrastructure Improvements”); and

WHEREAS, monies on deposit in the Hayden Run South TIF Fund shall be used in the priority as follows: (i) first, debt service on the City’s Series 2009 and Series 2013 Hayden Run general obligation bonds, and any refunding bonds of the same issued subsequent to this ordinance; (ii) second, to establish and maintain a reserve fund of \$250,000 for the payment of debt service; and (iii) third, to fund public infrastructure improvements benefitting or serving the Hayden Run Blvd TIF Areas as further described in the Memorandum of Understanding executed on November 22, 2004; and

WHEREAS, service payments on deposit in the Hayden Run South TIF Fund as of the 30th day of April in any year that are in excess of (i) the principal and interest on the Series 2009 and Series 2013 Hayden Run general obligation bonds (or any general obligation bonds of the City issued to refund either or both series of such bonds) due in that calendar year, plus (ii) a \$250,000 balance to be maintained in the Hayden Run South TIF Fund after provision for payment of such debt service due in that year, shall be considered available for the purposes of carrying out the directives of this Ordinance and the 2004 Memorandum of Understanding; and

WHEREAS, it is necessary to appropriate monies deposited in the TIF Fund to be used to pay costs of the Public

Infrastructure Improvements in accordance with the TIF Ordinance and the related MOU by and among the City and Developers, which was authorized by Ordinance 1433-2004 and executed November 22, 2004; **NOW, THEREFORE,**

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

SECTION 1. Appropriation of Funds. The Service Payments, and any other payments with respect to the Improvement that are received by the Franklin County Treasurer in connection with the reduction required by Sections 319.302, 321.24, 323.152 and 323.156 of the Ohio Revised Code, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time, deposited in the TIF Funds shall be deemed appropriated for the purposes set forth in the Memorandum of Understanding and authorized to be expended therefrom in accordance with that Memorandum of Understanding. Subject to vouchers approved by the Director of the City's Department of Development (the "Director"), the City Auditor is hereby authorized to make payments to the Developer or its designee from the TIF Funds in accordance with that Memorandum of Understanding.

SECTION 2. Priority of Debt Service Payment. Monies on deposit in the Hayden Run South TIF Fund shall be used in the priority as follows: (i) first, debt service on the City's Series 2009 and Series 2013 Hayden Run general obligation bonds, and any refunding bonds of the same issued subsequent to this ordinance; (ii) second, to establish and maintain a reserve fund of \$250,000 for the payment of debt service; and (iii) third, to fund public infrastructure improvements benefitting or serving the Hayden Run Blvd TIF Areas as further described in the Memorandum of Understanding executed on November 22, 2004.

SECTION 3. Available Funds. Service payments on deposit in the Hayden Run South TIF Fund as of the 30th day of April in any year that are in excess of (i) the principal and interest on the Series 2009 and Series 2013 Hayden Run general obligation bonds (or any general obligation bonds of the City issued to refund either or both series of such bonds) due in that calendar year, plus (ii) a \$250,000 balance to be maintained in the Hayden Run South TIF Fund after provision for payment of such debt service due in that year, shall be considered available for the purposes of carrying out the directives of this Ordinance and the 2004 Memorandum of Understanding.

SECTION 4. Further Authorizations. This Council further authorizes the Director, the City Clerk or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance.

SECTION 5. Effective Date. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.