



Legislation Details (With Text)

File #: 1187-2008 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/30/2008 **In control:** Finance & Economic Development Committee

On agenda: 7/14/2008 **Final action:** 7/17/2008

Title: To appropriate and authorize the expenditure of \$1.35 million from the Polaris Tax Increment Financing District, Fund No. 402 in order to pay certain costs previously authorized by agreements between the City of Columbus and the developer of the Polaris TIF District. These monies will provide for payment to the Developer associated with the Polaris Interchange at Interstate 71 and Fashion Mall Parkway and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/17/2008	1	CITY CLERK	Attest	
7/15/2008	1	MAYOR	Signed	
7/14/2008	1	Columbus City Council	Approved	Pass
7/14/2008	1	COUNCIL PRESIDENT	Signed	
7/9/2008	1	City Clerk's Office	Sent back for Clarification/Correction	
7/9/2008	1	Auditor Drafter	Sent to Clerk's Office for Council	
7/1/2008	1	Auditor Drafter	Sent to Clerk's Office for Council	
6/30/2008	1	Auditor Drafter	Sent for Approval	
6/30/2008	1	CITY AUDITOR	Reviewed and Approved	
6/30/2008	1	CITY AUDITOR	Reviewed and Approved	
6/30/2008	1	Auditor Drafter	Sent for Approval	
6/30/2008	1	CITY ATTORNEY	Reviewed and Approved	

The Polaris Tax Increment Financing District (the TIF) has been proven to be a very successful effort on the part of the City and the developer. Previous ordinances have authorized the City to enter into various agreements and to pay for the costs associated with those agreements with monies borrowed via City issued bonds.

Some of the previous ordinances which speak to this effort are as follows. Ordinance No. 3106-96 adopted 12/16/96 created the TIF, Ordinances No. 627-04 and No. 1560-05 expanded the TIF area, and Ord. No. 733-04 authorized the transfer of monies to provide for the ODOT Agreement. Ord. No. 734-04 authorized the City to enter into an agreement with ODOT in an amount of \$27,600,000, and Ord. No. 745-04 authorized the issuance of City bonds in an amount not to exceed \$35 million to provide funds to pay the costs of the agreement with ODOT and the Developer and to refund a previous bond issue. Of the \$35 million of bonds authorized pursuant to Ordinance 745-04, the City has issued \$20 million of Senior TIF bonds on October 28, 2004 and \$8,150,000 of Junior TIF bonds on various dates in 2005 and 2006. There is currently an aggregate total of \$27.535 million of indebtedness outstanding.

The remaining costs due to the Developer under these agreements are presently estimated at \$1.35 million. The TIF has been sufficiently successful to provide for the payment of these costs directly from TIF monies contained in the TIF Fund No. 402 thereby

making the additional issuance of bonds unnecessary at this time. This Ordinance will authorize the payment of these costs from TIF Fund No. 402.

The final payment to ODOT was authorized in this same manner via Ordinance No. 674-2008 adopted by this Council on May 5, 2008.

To appropriate and authorize the expenditure of \$1.35 million from the Polaris Tax Increment Financing District, Fund No. 402 in order to pay certain costs previously authorized by agreements between the City of Columbus and the developer of the Polaris TIF District. These monies will provide for payment to the Developer associated with the Polaris Interchange at Interstate 71 and Fashion Mall Parkway and to declare an emergency.

Whereas, previous Ordinances Nos. 3106-96, 627-04, 1560-05, 733-04, 734-04, 745-04, and 674-2008 have made it possible for the City, ODOT, and the Developer to construct the Polaris interchange at Interstate 71 and Fashion Mall Parkway, and

Whereas, the TIF has produced sufficient revenues to both pay debt service costs on various TIF bonds issued pursuant to 745-04 adopted 4/21/04, and

Whereas, the TIF has also produced sufficient revenue to pay certain of these costs directly from the TIF revenues making it unnecessary to issue additional TIF bonds at this time, and

Whereas, it is necessary to both appropriate funds and to authorize the expenditure of such funds from the TIF Fund, No. 402, in order to pay these remaining costs, and

Whereas, an emergency exists in the usual daily operation of the City Auditor's Office in that it is immediately necessary to authorize the City Auditor to appropriate and expend an amount presently estimated at \$1.35 million from the Polaris Tax Increment Financing District, Fund No. 402 in order to make certain payments to the Developer in accordance with previously authorized agreements between the City of Columbus and the Developer of the Polaris TIF District. These monies will provide for certain payments to the Developer associated with the Polaris Interchange at Interstate 71 and Fashion Mall Parkway, 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 sum of \$1.35 million, representing TIF revenues and interest earnings thereon, but an amount not to exceed monies in TIF Fund No. 402 after providing for debt service on both the Senior and Junior Polaris TIF revenue bonds, is hereby appropriated and the expenditure thereof is hereby authorized.

Section 2. The amount referenced in Section 1 of this Ordinance is authorized to be transferred from Fund No. 402 to the Polaris Interchange Capital Fund No. 770 and such amount transferred to Fund 770 is hereby appropriated and authorized to be expended for the purpose stated in this ordinance. This transfer is in accordance with Paragraph Six of Section 403 of the Trust Agreement, dated October 1, 2004, between the City and The Bank of New York Trust Company, N.A. (as successor to J.P. Morgan Trust Company, National Association).

Section 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with this ordinance.

Section 4. That for the reasons stated in the preamble hereto, which is hereby 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.

