



Legislation Details (With Text)

File #: 0235-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/26/2021 **In control:** Housing Committee

On agenda: 2/8/2021 **Final action:** 2/11/2021

Title: To authorize the Director of Development to modify loan agreement documents with Wendler Commons Limited Partnership to allow for changes in lender information in the documents and an increase in the permitted first mortgage amount up to \$4,000,000.00; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|----------|--------|
| 2/11/2021 | 1 | CITY CLERK | Attest | |
| 2/10/2021 | 1 | MAYOR | Signed | |
| 2/10/2021 | 1 | CITY CLERK | Attest | |
| 2/8/2021 | 1 | COUNCIL PRESIDENT | Signed | |
| 2/8/2021 | 1 | Columbus City Council | Approved | Pass |

BACKGROUND: This ordinance authorizes the Director of Development to modify loan agreement documents with Wendler Commons Limited Partnership to allow for changes in lender information in the documents and an increase in the permitted first mortgage amount up to \$4,000,000.

The Director of Development entered in loan agreement documents with Wendler Commons Limited Partnership in November 2020 under the authority of ordinance 2048-2019.

It has become necessary to modify the loan documents to allow a first mortgage by a new lender that is greater than what was initially planned.

| | | | |
|-----------------------------|--------------|----------------|----------|
| Original Loan Agreement | \$750,000.00 | Ord. 2048-2019 | PO211286 |
| Modification 1 | <u>0.00</u> | | |
| Total Loan Agreement Amount | \$750,000.00 | | |

This legislation represents appropriation for the HOME portion of the 2020 Action Plan, per Ordinance 2162-2019.

Emergency action is requested to allow for the developer to maintain the project schedule.

FISCAL IMPACT: no impact

Contract Compliance: the vendor number is 031426 and contract compliance dates are 11/10/2020 -11/10/2022.

To authorize the Director of Development to modify loan agreement documents with Wendler Commons Limited Partnership to allow for changes in lender information in the documents and an increase in the permitted first mortgage amount up to \$4,000,000.00; and to declare an emergency.

WHEREAS, the City of Columbus is a participating jurisdiction of the U.S. Department of Housing and Urban Development; and

WHEREAS, the City of Columbus is the recipient of HOME Investment Partnerships funds from the U.S. Department of Housing and Urban Development; and

WHEREAS, the Columbus City Council has approved the 2020 Action Plan, per Ordinance 2162-2019, as required by HUD; and

WHEREAS, Director of Development entered in loan agreement documents with Wendler Commons Limited Partnership in November 2020 under the authority of ordinances 2048-2019; and

WHEREAS, it is necessary to modify the loan documents to allow a first mortgage by a new lender that is greater than what was initially planned; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the Director to modify the loan agreement to allow for the developer to maintain the project schedule, thereby preserving the public health, peace, property, safety, and welfare; and **NOW, THEREFORE**,

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

SECTION 1. That the Director of Development is hereby authorized to modify loan agreement documents with Wendler Commons Limited Partnership to allow for changes in lender information in the documents and an increase in the permitted first mortgage amount up to \$4,000,000.

SECTION 2. 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 approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.