



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 4/21/2021 **In control:** Economic Development Committee

On agenda: 5/10/2021 **Final action:** 5/13/2021

Title: To amend Ordinance 2031-2020, Ordinance 2349-2020, Ordinance 2038-2020, Ordinance 2531-2020 and Ordinance 2771-2020 (which amended Ordinance 1190-2020), for the purpose of revising the time period needed to execute the City of Columbus incentive agreements authorized by each Ordinance to 90-days after passage from this ordinance; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/13/2021	1	ACTING CITY CLERK	Attest	
5/12/2021	1	MAYOR	Signed	
5/11/2021	1	COUNCIL PRESIDENT PRO-TEM	Signed	
5/10/2021	1	Columbus City Council	Approved	Pass

BACKGROUND: The need exists to amend Ordinance 2031-2020, approved by Columbus City Council (COUNCIL) on September 21, 2020, which authorized the Director of Development (DIRECTOR) to enter into an Enterprise Zone Agreement with Franklin International, Inc.; to amend Ordinance 2349-2020, approved by COUNCIL on November 9, 2020, which authorized the DIRECTOR to enter into an Enterprise Zone Agreement with Middle West Spirits, LLC; to amend Ordinance 2038-2020, approved by COUNCIL on November 16, 2020, which authorized the DIRECTOR to enter into an Enterprise Zone Agreement with Agler Joint Venture, LLC; to amend Ordinance 2531-2020, approved by COUNCIL on November 23, 2020, which authorized the DIRECTOR to enter into an Enterprise Zone Agreement with BND Properties IV, LLC & BND Rentals, Inc. dba Vandalia Rental; and to amend Ordinance 2771-2020, approved by COUNCIL on December 7, 2020 to revise the 90-day window needed to execute the Jobs Growth Incentive Agreement authorized by COUNCIL by Ordinance 1190-2020 on June 15, 2020, which authorized the DIRECTOR to enter into that Jobs Growth Incentive Agreement with Slalom, LLC. With the advent of the need to add substantive new language related to Wage Theft Prevention & Enforcement to each of the above authorized agreements, a single amendment is now required to revise the 90-day period needed to execute each of the City of Columbus agreements listed above with this need having been advised by the Columbus City Attorney.

Franklin International, Inc.; Middle West Spirits, LLC; Agler Joint Venture, LLC; BND Properties IV, LLC & BND Rentals, Inc. dba Vandalia Rental; and Slalom, LLC (each individually "ENTITY") were all unable to execute and return their individual agreements within their individual 90-day signing periods prior to the need to add the substantive Wage Theft Prevention & Enforcement language to each of their agreements. As a result, the Department of Development is seeking additional 90-day periods to begin upon the passage of this amendment for each ENTITY to sign and return their individual agreements.

Emergency consideration is requested in order for each ENTITY to execute their individual agreements without further delay.

FISCAL IMPACT

No funding is required for this legislation.

To amend Ordinance 2031-2020, Ordinance 2349-2020, Ordinance 2038-2020, Ordinance 2531-2020 and Ordinance 2771-2020 (which amended Ordinance 1190-2020), for the purpose of revising the time period needed to execute the City of Columbus incentive agreements authorized by each Ordinance to 90-days after passage from this ordinance; and to declare an emergency.

WHEREAS, Ordinance 2031-2020, approved by Columbus City Council (COUNCIL) on September 21, 2020, authorized the Director of Development (DIRECTOR) to enter into an Enterprise Zone Agreement with Franklin International, Inc.; and

WHEREAS, Ordinance 2349-2020, approved by COUNCIL on November 9, 2020, authorized the DIRECTOR to enter into an Enterprise Zone Agreement with Middle West Spirits, LLC; and

WHEREAS, Ordinance 2038-2020, approved by COUNCIL on November 16, 2020, authorized the DIRECTOR to enter into an Enterprise Zone Agreement with Agler Joint Venture, LLC; and

WHEREAS, Ordinance 2531-2020, approved by COUNCIL on November 23, 2020, which authorized the DIRECTOR to enter into an Enterprise Zone Agreement with BND Properties IV, LLC & BND Rentals, Inc. dba Vandalia Rental; and

WHEREAS, Ordinance 2771-2020, approved by COUNCIL on December 7, 2020, revised the 90-day window needed to execute the Jobs Growth Incentive Agreement authorized by COUNCIL by Ordinance 1190-2020 on June 15, 2020, which authorized the DIRECTOR to enter into that Jobs Growth Incentive Agreement with Slalom, LLC; and

WHEREAS, with the advent of the need to add substantive new language related to Wage Theft Prevention & Enforcement to each of the above authorized agreements, a single amendment is now required to revise the time period needed to execute each of the City of Columbus agreements listed above with this need having been advised by the Columbus City Attorney; and

WHEREAS, Franklin International, Inc.; Middle West Spirits, LLC; Agler Joint Venture, LLC; BND Properties IV, LLC & BND Rentals, Inc., dba Vandalia Rental; and Slalom, LLC (each individually “ENTITY”) were all unable to execute and return their individual agreements within their individual 90-day signing periods prior to the need to add the substantive Wage Theft Prevention & Enforcement language to each of their agreements; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the extension of time for signing the agreements without further delay in order to facilitate the future growth of each ENTITY; and

NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF COLUMBUS

Section 1. That Section 3 of Ordinance 2031-2020 is hereby amended to revise the time period needed to execute the Enterprise Zone Agreement with Franklin International, Inc. to 90 days after passage of this ordinance.

Section 2. That Section 3 Ordinance 2038-2020 is hereby amended to revise the time period needed to execute the Enterprise Zone Agreement with Agler Joint Venture, LLC to 90 days after passage of this ordinance.

Section 3. That Section 3 of Ordinance 2349-2020 is hereby amended to revise the time period needed to execute the Enterprise Zone Agreement with Middle West Spirits, LLC to 90 days after passage of this ordinance.

Section 4. That Section 3 of Ordinance 2531-2020 is hereby amended to revise the time period needed to execute the Enterprise Zone Agreement with BND Properties IV, LLC & BND Rentals, Inc., dba Vandalia Rental, to 90 days after passage of this ordinance.

Section 5. That Section 1 of Ordinance 2771-2020, which amended Section 4 of Ordinance 1190-2020, is hereby amended to revise the time period needed to execute the Jobs Growth Incentive with Slalom, LLC to 90 days after passage of this ordinance.

Section 6. 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 passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.