



## Legislation Details (With Text)

**File #:** 0508-2023      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 2/7/2023      **In control:** Economic Development Committee

**On agenda:** 2/27/2023      **Final action:** 3/1/2023

**Title:** To amend Ordinance 1039-2022, passed by Columbus City Council on May 2, 2022, for the purposes of revising the 90-day period needed to execute the City of Columbus Enterprise Zone Agreement to 90 days after passage of this ordinance; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/1/2023	1	CITY CLERK	Attest	
2/28/2023	1	MAYOR	Signed	
2/27/2023	1	COUNCIL PRESIDENT	Signed	
2/27/2023	1	Columbus City Council	Approved	Pass

**BACKGROUND:** The need exists to amend Ordinance No. 1039-2022 approved by Columbus City Council on May 2, 2022, which authorized the Director of the Department of Development to enter into a City of Columbus Enterprise Zone Agreement (the “**AGREEMENT**”) with Alum Creek One, LLC dba Fed One Dublin, LLC and Specialized Bicycle Components, Inc. (collectively, and hereinafter referred to as “Enterprise”). An amendment is now required to revise the 90-day window needed to execute the **AGREEMENT** to 90 days after the passage of this proposed legislation.

The ordinance authorized the Director of the Department of Development to enter into an Enterprise Zone Agreement of seventy-five percent (75%) for a period of ten (10) consecutive years in consideration of the company’s proposed capital investment of approximately \$28,000,000.00 in real property improvements to construct a Class A industrial facility consisting of roughly 461,700 square feet on roughly 27.072 +/- acres of undeveloped land at 3330 Alum Creek Drive, Columbus, Ohio 43207, parcel number 530-156581 (the “**Project Site**”). Additionally, the Enterprise committed to create ten (10) net new full-time permanent positions with an estimated annual payroll of approximately \$400,000.00 and retain fifty-six (56) full-time positions with an annual payroll of approximately \$2,200,016.00 the proposed at the **Project Site**.

Prior to the execution of the Agreement, the Department of Development received a written notification from The Behal Law Group LLC on behalf of the Enterprise dated January 11, 2023, and through ensuing correspondence, requesting the need to extend the window to execute the Agreement. Unfortunately and unexpectedly, Robert J. Biondi, President, an owner/operator of Fed One Dublin, LLC, passed away on July 25, 2022, and navigating all aspects of his estate has required significant effort and coordination from his legal, accounting and business teams. This process delayed the execution of the Agreement. Now, the Enterprise is ready to move forward with the tax abatement and requests that the City reopen the 90-day period to execute the Agreement.

This legislation is requested to be considered as an emergency in order to revise the 90-day period needed to execute the **AGREEMENT** to 90 days after the passage of this proposed legislation in order to allow the Enterprise to begin investing and creating jobs as quickly as possible.

## FISCAL IMPACT:

No funding is required for this legislation.

To amend Ordinance 1039-2022, passed by Columbus City Council on May 2, 2022, for the purposes of revising the 90-day period needed to execute the City of Columbus Enterprise Zone Agreement to 90 days after passage of this ordinance; and to declare an emergency.

**WHEREAS**, the need exists to amend Ordinance No. 1039-2022, which was approved by Columbus City Council on May 2, 2022; and

**WHEREAS**, the ordinance authorized the Director of the Department of Development to enter into a City of Columbus Enterprise Zone Agreement (the “**AGREEMENT**”) with Alum Creek One, LLC dba Fed One Dublin, LLC and Specialized Bicycle Components, Inc. (collectively, and hereinafter referred to as “Enterprise”) for a tax abatement of seventy-five percent (75%) for a period of ten (10) consecutive years in consideration of the company’s total capital investment of approximately \$28,000,000.00 in real property improvements to construct a roughly 461,700 square-foot Class A industrial facility on 27.072 +/- acres of undeveloped land at 3330 Alum Creek Drive, Columbus, Ohio 43207, parcel number 530-156581 (the “**Project Site**); and

**WHEREAS**, Enterprise committed to create 10 net new full-time permanent positions with an estimated annual payroll of approximately \$400,000.00 and retain fifty-six (56) full-time positions with an annual payroll of roughly \$2,200,016.00 at the **Project Site**; and

**WHEREAS**, prior to the execution of the Agreement, in a letter received by the City from The Behal Law Group LLC on behalf of the Enterprise dated January 11, 2023, and through ensuing correspondence, it was requested that the 90-day period needed to execute the Agreement be extended another 90-day. Unfortunately and unexpectedly, Robert J. Biondi, President and owner/operator of Fed One Dublin, LLC passed away on July 25, and navigating all aspects of his estate has required significant effort and coordination from his legal, accounting and business teams. This process delayed the execution of the Agreement. Now, the Enterprise is ready to move forward with the tax abatement and request the City reopen the 90-day period to execute the Agreement; and

**WHEREAS**, an emergency exists in the usual daily operation of the Columbus Department of Development in that it is immediately necessary to seek an amendment from Columbus City Council for Ordinance 1039-2022, to revise the window to execute the **AGREEMENT** to 90 days after passage from this ordinance, thereby preserving the public health, peace, property and safety.

**NOW THEREFORE,**

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

**Section 1.** That Section 3 of Ordinance No. 1039-2022 is amended to revise the 90-day window needed to execute the Enterprise Zone Agreement to 90 days after the passage of this proposed ordinance.

**Section 2.** That the City of Columbus Enterprise Zone Agreement is signed by Alum Creek One, LLC dba Fed One Dublin, LLC and Specialized Bicycle Components, Inc., within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.

**Section 3.** For this reason stated in the preamble hereto, which is 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 (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.