



Legislation Text

File #: 1139-2015, **Version:** 1

BACKGROUND: The City of Columbus (“City”) entered into a Downtown Office Incentive Agreement (hereinafter “Agreement”) with Jeffrey P. Norman, Standing Chapter Trustee for the Southern District of Ohio, (also referred to as the “Grantee”) effective December 21, 2011. Columbus City Council approved the Agreement by Ordinance 1590-2011, approved October 3, 2011, and granted a financial incentive based on an amount equal to fifty percent (50%) of the new Columbus withholding tax paid by the new employees at the project site, to commence on January 1, 2012 for a period of three (3) consecutive taxable years based on an investment of approximately \$525,000 in machinery & equipment and furniture & fixtures and the creation of 19 new permanent full-time positions at 10 West Broad St., 9th Floor, Columbus, OH 43215 in downtown Columbus.

During the Downtown Office Incentive annual reporting cycle for Report Year 2014, the City was advised in a letter dated March 25, 2015 that Faye D. English was appointed by the United States Trustees to be the Successor Trustee to Jeffrey P. Norman on August 9, 2014 and requested that the name on the Agreement be changed to Faye D. English, who assumed the same building space, employees and equipment as Jeffrey P. Norman. Included with this letter was a copy of the notification from the Executive Office for the United States Trustees, United State Department of Justice. As such, the need exists to amend the Agreement to replace Jeffrey P. Norman, Standing Chapter Trustee for the Southern District of Ohio with the Office of the Chapter 13 Trustee Faye D. English as the Grantee to the Agreement.

This legislation is requested to be considered as an emergency in order to replace Jeffrey P. Norman, Standing Chapter Trustee for the Southern District of Ohio with the Office of the Chapter 13 Trustee Faye D. English as the Grantee to the Agreement so that the Downtown Office Incentive payment can be made during the 2015 payment cycle for Report Year 2014.

FISCAL IMPACT: No funding is required for this legislation.

To authorize the Director of Development to amend the Downtown Office Incentive Agreement to replace Jeffrey P. Norman, Standing Chapter Trustee for the Southern District of Ohio with the Office of the Chapter 13 Trustee Faye D. English as the Grantee to the Agreement; and to declare an emergency.

WHEREAS, Columbus City Council approved a Downtown Office Incentive Agreement (the “Agreement”) with Jeffrey P. Norman, Standing Chapter Trustee for the Southern District of Ohio (also referred to as the “Grantee”) by Ordinance 1590-2011 on October 3, 2011; and

WHEREAS, the Agreement granted a financial incentive based on an amount equal to fifty percent (50%) of the new Columbus withholding tax paid at the project site, to commence on January 1, 2012 for a period of three (3) consecutive taxable years; and

WHEREAS, in the Agreement, Grantee committed to making an investment of approximately \$525,000 in machinery & equipment and furniture & fixtures and the creation of 19 new permanent full-time positions at 10 West Broad St., 9th Floor, Columbus, OH 43215; and

WHEREAS, a letter from the Grantee to the City dated March 25, 2015, advised that Faye D. English was appointed by the United States Trustees to be the Successor Trustee to Jeffrey P. Norman on August 9, 2014 and assumed the same building space, employees and equipment as Jeffrey P. Norman; and

WHEREAS, an amendment is needed to replace Jeffrey P. Norman, Standing Chapter Trustee for the Southern District of Ohio with the Office of the Chapter 13 Trustee Faye D. English as the Grantee to 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 to the Downtown Office Incentive Agreement with Jeffrey P. Norman, Standing Chapter Trustee for the Southern District of Ohio for the purpose of replacing Jeffrey P. Norman, Standing Chapter Trustee for the Southern District of Ohio with the Office of the Chapter 13 Trustee Faye D. English as the Grantee to the Agreement; thereby preserving the public health, peace, property and safety, **NOW, THEREFORE**,

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

SECTION 1. That the Director of Development is hereby authorized to amend the Downtown Office Incentive Agreement with Jeffrey P. Norman, Standing Chapter Trustee for the Southern District of Ohio for the purpose of replacing Jeffrey P. Norman, Standing Chapter Trustee for the Southern District of Ohio with the Office of the Chapter 13 Trustee Faye D. English as the Grantee to the Agreement.

SECTION 2. That the amendment to the City of Columbus Downtown Office Incentive Agreement be signed by the Office of the Chapter 13 Trustee Faye D. English within ninety (90) days of passage of this ordinance, or this ordinance and the incentive authorized herein shall be null and void.

SECTION 3. That for reasons stated in the preamble hereto, which is hereby made a part hereof, the 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 the passage if the Mayor neither approves nor vetoes the same.