



Legislation Text

File #: 2217-2017, **Version:** 1

BACKGROUND: The need exists to amend Ordinance No. 1624-2017 approved by Columbus City Council on July 17, 2017, which authorized the Director of the Department of Development to enter into a City of Columbus Enterprise Zone Agreement (the “**AGREEMENT**”) with Meritex Enterprises, Inc. dba Meritex Columbus, LLC. An amendment is now required to correct the company’s legal name from Meritex Enterprises, Inc. dba Meritex Columbus, LLC to Meritex Columbus, LLC and to revise the 90-day period needed to execute the Enterprise Zone 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 on real property improvements in consideration of a proposed capital investment of approximately \$10,346,000 in new construction and the creation of 22 new full-time permanent positions.

Subsequent to signing the **AGREEMENT**, and through ensuing correspondence, it was ascertained that the company’s legal name was inaccurately inscribed on the application, and before entering into the **AGREEMENT**, the company’s legal name needs to be changed to reflect the proper owner of said property in order for the applicable entity to receive the anticipated benefit of the proposed tax abatement. In a written correspondence dated July 21, 2017, Meritex submitted a request to the City to change its’ legal name from Meritex Enterprises, Inc. dba Meritex Columbus, LLC to Meritex Columbus, LLC.

This legislation is requested to be considered as an emergency in order to correct the entity’s legal name from Meritex Enterprises, Inc. dba Meritex Columbus, LLC to Meritex Columbus, LLC so as to authorize the **AGREEMENT** with the correct entity and to revise the 90-day period needed to execute the Enterprise Zone Agreement to 90 days after the passage of this proposed legislation to allow the City to enter into an **AGREEMENT** with the applicable legal entity.

FISCAL IMPACT

No funding is required for this legislation

To amend Ordinance No. 1624-2017 for the purposes of correcting the entity’s legal name from Meritex Columbus, Inc. dba Meritex Columbus, LLC to Meritex Columbus, LLC and to revise the 90-day period needed to execute the Enterprise Zone Agreement to 90 days after passage of this ordinance; and to declare an emergency.

WHEREAS, the need exists to amend Ordinance No. 1624-2017, which was approved by Columbus City Council on July 17, 2017; and

WHEREAS, 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 on real property improvements in consideration of a proposed capital investment of approximately \$10,346,000 in new construction and the creation of 22 new full-time permanent positions; and

WHEREAS, subsequent to signing the agreement, and through ensuing correspondence, it was ascertained that the company’s legal name was inaccurately inscribed on the incentive application; therefore, before entering into the **AGREEMENT**, the company’s legal name needs to be changed to reflect the proper owner of said property in order for the company to receive the anticipated benefit of the proposed tax abatement; and

WHEREAS, in a written correspondence dated July 21, 2017, the company submitted a request to the City to correct its' legal name from Meritex Enterprises, Inc. dba Meritex Columbus, LLC to Meritex Columbus, LLC; 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 the Columbus City Council of Ordinance No. 1624-2017 to correct the entity's legal name from Meritex Enterprises, Inc. dba Meritex Columbus, LLC to Meritex Columbus, LLC and to revise the 90-day period needed to execute the Enterprise Zone Agreement to 90 days after the passage of this proposed legislation, 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 Ordinance No. 1624-2017 is hereby amended to correct the entity's legal name from Meritex Enterprises, Inc. dba Meritex Columbus, LLC to Meritex Columbus, LLC and to revise the 90-day period needed to execute the Enterprise Zone Agreement to 90 days after the passage of this proposed legislation.

Section 2. That the City of Columbus Enterprise Zone Agreement must be signed by Meritex Columbus, LLC within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.

Section 3. For this reasons 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.