Legislation Text

File #: 0161X-2022, **Version:** 1

BACKGROUND:
Following the prior submission and approval of a petition for the organization of a new community authority (the "Petition") under Chapter 349 of the Ohio Revised Code by Gay Street Condominium LLC (the "Developer"), City Council passed Ordinance 0791-2008 on May 12, 2008 to establish both the One Neighborhood New Community Authority (the "Authority") as a body politic and corporate and the Authority's new community district (the "District"). The Developer subsequently requested the Petition to be amended twice by City Council, and the area of the District was expanded by City Council pursuant to Ordinance 0926-2010 and Ordinance 2546-2012. The original board of trustees of the Authority (the "Trustees") were appointed by Ordinance 0822-2008, and those Trustees have been subsequently replaced with new appointments by City Council over the years. The purpose of this resolution is to appoint a new member to the Trustees following the planned resignation from the Trustees of the member appointed by Appointment No. A0203-2012 passed by City Council on December 3, 2012, and to reappoint the members of the Trustees appointed by Appointment No. A0107-2015 and Appointment No. A0108-2015 passed by City Council on July 13, 2015.

Emergency Justification: Emergency action is requested to allow the immediate appointment of citizen members to the board of trustees of the One Neighborhood New Community Authority in order for them to have a quorum to conduct business as required by Section 349.04 of the Ohio Revised Code.

FISCAL IMPACT: No funding is required for this legislation.

To appoint members to the board of trustees of the One Neighborhood New Community Authority in accordance with Chapter 349 of the Ohio Revised Code; and to declare an emergency.

WHEREAS, Gay Street Condominium LLC (the "Developer") and the City engaged in a public-private-partnership for the redevelopment of an approximately 5.912-acre site located primarily between Gay Street, Long Street, Fourth Street, and Grant Street as an approximately $80 million residential development consisting of about 250 residential units with parking garages, parks, community space, utilities, and pedestrian improvements; and

WHEREAS, the Petition for Organization of a New Community Authority under Ohio Revised Code Chapter 349 (the "Petition") was submitted by the Developer and approved by City Council, as the "organizational board of commissioners" as that term is defined in Section 349.01(F), pursuant to Ordinance 0382-2008 and Ordinance 0595-2008; and

WHEREAS, Ordinance 0791-2008 passed by City Council established both the One Neighborhood New Community Authority (the "Authority") as a body politic and corporate and the Authority's new community district (the "District"); and

WHEREAS, pursuant to Ordinance 0826-2010 and Ordinance 0926-2010, City Council approved the first amendment to the Petition and expanded the size of the District; and

WHEREAS, pursuant to Ordinance 2298-2012 and Ordinance 2546-2012, City Council approved the second amendment

to the Petition and expanded the size of the District a second time to approximately 8.79 acres total for the inclusion of a new 258-unit apartment building and to reduce the prior planned residential units from about 250 to 182 units; and

WHEREAS, the original board of trustees (the "Trustees") of the Authority was determined to include seven members with the original three citizen members and one local government representative appointed by City Council under Ordinance 0822-2008, and the remaining three original Trustees were appointed by the Developer; and

WHEREAS, in accordance with Section 349.04 of the Ohio Revised Code, City Council, as the organizational board of commissioners, may adopt the method of selecting successor members of Trustees; and

WHEREAS, the purpose of this resolution is to appoint a new member to the Trustees following the planned resignation of the member of the Trustees appointed by Appointment No. A0203-2012 passed by City Council on December 3, 2012 and to reappoint the members of the Trustees appointed by Appointment No. A0107-2015 and Appointment No. A0108-2015 passed by City Council on July 13, 2015; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is necessary to allow the immediate appointment of citizen members of the Trustees in order for the Authority to have a quorum to conduct business at their meetings as required by Section 349.04 of the Ohio Revised Code with said immediate action being
in the interest of the City in order to preserve, enhance, and protect the public health, peace, property, and safety; and
NOW THEREFORE,

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

Section 1. The appointees of the City to the Board of Trustees shall be as follows:

(i)   Christopher Peterson, whose resume is attached hereto as Exhibit A, is hereby appointed as a citizen member for a two-year term, such term beginning on the effective date of this resolution, and shall continue to hold over into one or more subsequent terms until a new citizen member is duly appointed to serve for the remainder of such term.

(ii) Michelle L. Chippas is hereby reappointed as a citizen member for a two-year term, such term beginning on the effective date of this resolution and shall continue to hold over into one or more subsequent terms until a new citizen member is duly appointed to serve for the remainder of such term.

(iii) John W. Cook is hereby reappointed as a citizen member for a two-year term, such term beginning on the effective date of this resolution, and shall continue to hold over into one or more subsequent terms until a new citizen member is duly appointed to serve for the remainder of such term.

Section 2. This Resolution is hereby declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor or ten days after the passage if the Mayor neither approves nor vetoes the same.