



Legislation Text

File #: 0179X-2022, **Version:** 1

Following the submission of a petition for the organization of a new community authority (the "Petition") under Chapter 349 of the Ohio Revised Code filed by M/I Homes of Central Ohio LLC, Dominion Homes, Inc., and Homewood Corporation (collectively, the "Developers"), City Council accepted and determined the Petition sufficient pursuant to Ordinance 0976-2008 passed on June 16, 2008 and Ordinance 1122-2008 passed on July 7, 2008. City Council then passed Ordinance 1271-2008 on July 28, 2008 to establish both the Central College Community Development Authority (the "Authority") as a body politic and corporate and the Authority's new community district. The four original citizen and local government representative trustees of the Authority (the "Trustees") were appointed by Ordinance 1271-2008, and those Trustees have been subsequently replaced with new appointments by the processes provided in the Petition pursuant to Ordinance 1271-2008 and by the procedures established by City Council pursuant to Ordinance 1516-2011 passed on September 26, 2011. The Developers were responsible for appointing three of the original members of the Trustees, and they will be replaced pursuant to the procedures in the Petition and Ordinance 1516-2011. Section 349.04 (C) of the Ohio Revised Code also stipulates that if a vacancy occurs in the office of a member other than a member appointed by the Developers, City Council may appoint a successor member for the remainder of the unexpired term. The purpose of this resolution is to appoint new members to the Trustees.

Emergency Justification: Emergency action is requested to allow the immediate appointment of members to the board of trustees of the Central College Community Development Authority in order for them to have a quorum to conduct business as required by Section 349.04 of the Ohio Revised Code prior to the Franklin County Auditor's deadline to assess community development charges.

FISCAL IMPACT: No funding is required for this legislation.

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

WHEREAS, M/I Homes of Central Ohio LLC, Dominion Homes, Inc., and Homewood Corporation (collectively, the "Developers") and the City engaged in a public-private-partnership for new residential development in the City's designated Northeast Growth Area near Central College Road and N. Hamilton Road; and

WHEREAS, the Petition for Organization of a New Community Authority (the "Petition") under Ohio Revised Code Chapter 349 was submitted by the Developers and approved by City Council, as the "organizational board of commissioners" as that term is defined in Section 349.01(F), pursuant to Ordinance 0976-2008 passed on June 16, 2008 and Ordinance 1122-2008 passed on July 7, 2008; and

WHEREAS, Ordinance 1271-2008 passed by City Council on July 28, 2008 established both the Central College Community Development Authority (the "Authority") as a body politic and corporate and the Authority's new community district; 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 1271-2008 as provided in the Petition, and the remaining three original Trustees were appointed by the Developers; and

WHEREAS, in accordance with Section 349.04(C) of the Ohio Revised Code, City Council, as the organizational board of commissioners, may adopt an alternative method of selecting or electing successor members of Trustees, which it did pursuant to the procedures established by the Petition under Ordinance 1271-2008 and Ordinance 1516-2011 passed on September 26, 2011; and

WHEREAS, if a vacancy occurs in the office of a member other than a member appointed by the Developers, City Council may also appoint a successor member for the remainder of the unexpired term; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is necessary to allow immediately appointment 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 prior to the Franklin County Auditor's deadline for assessing community development charges 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; **NOW, THEREFORE**,

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

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

- (i) Dave Paul 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 or elected to serve for the remainder of such term.
- (ii) Mark Lundine is hereby reappointed as a local government representative 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 local government representative member is duly appointed or elected 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 passage and approval by the Mayor or ten days after the passage if the Mayor neither approves nor vetoes the same.