By Resolution Nos. 0268X-2019 and 0284X-2019, City Council, as the "organizational board of commissioners," previously established the Marble Cliff Quarry Community Authority (the "Authority") pursuant to Ohio Revised Code ("ORC") Chapter 349 to support that redevelopment of approximately 300 acres of real property located at the northeast corner of Dublin Road and Trabue Road adjacent to a new metro park. Pursuant to Ordinance 3095-2019, the City and the Authority subsequently entered into the Marble Cliff Quarry Utility Cooperative Agreement to authorize the Authority to provide water and sewer service within its new community district. The Columbus and Franklin County Metropolitan Park District ("Metroparks") is currently constructing the Quarry Trails Metro Park on land adjacent to the Authority's new community district. Metroparks now seeks to join the Authority in order to obtain water and sewer service. On September 28, 2022, Metroparks submitted to the Clerk of City Council a Consent to Add Property to a New Community District (the "Consent") to add the Quarry Trails Metro Park parcels to the Authority's new community district. City Council, by Resolution No. 0197X-2022, adopted on October 17, 2022, determined the sufficiency of the Consent and set a public hearing date on the Consent, which was held on November 2, 2022. This resolution authorizes the expansion of and defines the boundaries of the Authority's new community district by adding the Quarry Trails Metro Park property identified as Tax Parcel ID Nos. 560-298177 and 560-298033. This resolution also certifies that the public hearing was held in compliance with the requirements of ORC Chapter 349.

Fiscal Impact: No funding is required for this legislation.

To approve the expansion and define the boundaries of the new community district for the Marble Cliff Quarry Community Authority by inclusion of the Quarry Trails Metro Park properties identified as Tax Parcel ID Nos. 560-298177 and 560-298033; and to certify compliance of the requirements for the public hearing on the expansion.

WHEREAS, pursuant to Chapter 349 of the Ohio Revised Code, on August 26, 2019, Marble Cliff Canyon, LLC filed a petition (the "Petition") for the establishment of the Marble Cliff Quarry Community Authority (the "Authority") with the Clerk of City Council; and

WHEREAS, this Council, as the "organizational board of commissioners" as that term is defined in Section 349.01(F) of the Ohio Revised Code, adopted Resolution No. 0268X-2019 on October 7, 2019, and determined that the Petition complied as to form and substance with the requirements of Section 349.03(A) of the Ohio Revised Code and fixed the time and place for a hearing on the establishment of the Authority; and

WHEREAS, on October 10, 2019, a public hearing was held on the Petition after public notice was duly published in accordance with Section 349.03(A) of the Ohio Revised Code; and

WHEREAS, this Council adopted Resolution No. 0284X-2019 on October 14, 2019, and determined that the Marble Cliff Quarry Community District (the "District") would be conducive to the public health, safety, convenience and welfare, and that it was intended to result in the development of a new community as described in Chapter 349 of the Ohio Revised Code, and declaring the Authority organized as a body corporate and politic in the State of Ohio; and

WHEREAS, Section 349.03(B) of the Ohio Revised Code authorizes this Council to add property to the Authority's

District, with the consent of the owner of the property, so long as the developer who submitted the Petition does not file a written objection; and

WHEREAS, the Columbus and Franklin County Metropolitan Park District, as owner of the property known as Quarry Trails Metro Park, shown as the "Expansion Area" on Exhibit A attached hereto, filed a written consent with the Clerk of City Council to add such property to the District (the "Consent") pursuant to Chapter 349.03(B) of the Ohio Revised Code; and

WHEREAS, this Council, as the organizational board of commissioners, adopted Resolution No. 0197X-2022 on October 17, 2022, and determined that the Consent complied as to form and substance with the requirements of Section 349.03(B) of the Ohio Revised Code and fixed the time and place for a hearing on the expansion of the Authority's District; and

WHEREAS, this Council, as the organizational board of commissioners, authorized the Department of Development to hold a public hearing on the expansion of the Authority's District on November 2, 2022, after public notice was duly published in accordance with Section 349.03(A) of the Ohio Revised Code; and

WHEREAS, the Department of Development certifies to City Council that the public hearing was held as advertised as attested on the Certificate of Compliance with the Public Hearing Requirements attached hereto as Exhibit B (the "Certification"); **NOW, THEREFORE,**

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

Section 1. This Council finds and determines that it is the "organizational board of commissioners" for the Authority, and the City of Columbus is the only "proximate city" with respect to the Authority and the Expansion Area for purposes of Chapter 349 of the Ohio Revised Code.

Section 2. This Council further finds and determines that the owner of the Expansion Area has consented to the inclusion of the Expansion Area in the Authority's District, the developer of the Authority that signed the Petition has not filed a written objection with the Clerk of City Council, and the Consent is hereby accepted and shall be recorded, along with this Resolution, in the journal of the City Council, pursuant to Section 349.03 of the Ohio Revised Code.

Section 3. This Council further finds and determines pursuant to Section 349.03 of the Ohio Revised Code that the expansion of the District to include the Expansion Area will be conducive to the public health, safety, convenience and welfare, will be consistent with the development of the Authority's "new community," as described in Section 349.01(A) of the Ohio Revised Code, will not jeopardize the plan of that new community, and is intended to result in the development of the new community; and defines the boundaries of the District to now also include the Expansion Area boundaries as well as those consistent with the boundaries described in the Petition.

Section 4. This Council finds and determines that the public hearing was held as advertised as attested by the Department of Development on the Certification.

Section 5. This resolution shall take effect and be in force from and after the earliest date permitted by law.

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