



Legislation Details (With Text)

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File created: 2/8/2008 **In control:** Development Committee
On agenda: 6/8/2009 **Final action:** 6/10/2009
Title: To authorize the Director of Development to enter into, on behalf of the City of Columbus and the Columbus City Council, an Intergovernmental Cooperation Agreement with The Hayden Run Community Development Authority; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0312-2008 Columbus-Hayden Run NCA - Intergovernmental Cooperation Agreement.pdf

Date	Ver.	Action By	Action	Result
6/10/2009	1	CITY CLERK	Attest	
6/9/2009	1	MAYOR	Signed	
6/8/2009	1	Columbus City Council	Approved	Pass
6/8/2009	1	COUNCIL PRESIDENT	Signed	
5/26/2009	1	Dev Drafter	Sent to Clerk's Office for Council	
3/25/2008	1	Dev Drafter	Sent for Approval	
2/29/2008	1	City Clerk's Office	Sent back for Clarification/Correction	
2/11/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
2/11/2008	1	Dev Drafter	Sent for Approval	
2/11/2008	1	CITY ATTORNEY	Reviewed and Approved	
2/11/2008	1	Dev Drafter	Sent to Clerk's Office for Council	
2/8/2008	1	Dev Drafter	Sent for Approval	

BACKGROUND: This ordinance authorizes the Director of Development to enter into an Intergovernmental Cooperation Agreement with The Hayden Run Community Development Authority regarding the placement and use of community charge funds expected to come to the Authority two times per year from the Franklin County Auditor. The new community authority was created by Columbus City Council Legislation in September 2007 as provided under Chapter 349 of the Ohio Revised Code.

The Hayden Run Community Development District encompasses the northwest side of Columbus generally bounded by the Columbus City Limits on the North, the Conrail Railroad Tracks on the East, Hayden Run Road on the South, and Cosgray Road on the West, all to be developed as part of an area characterized by well-balanced and diversified land use patterns to provide facilities for the conduct of commercial, residential, cultural, educational, and recreational activities.

FISCAL IMPACT: No funding is required for this legislation.

To authorize the Director of Development to enter into, on behalf of the City of Columbus and the Columbus City Council, an Intergovernmental Cooperation Agreement with The Hayden Run Community Development Authority; and to declare an emergency.

WHEREAS, based on mutual interests, the City engaged in a cooperative dialogue with the development community, adjoining municipalities and townships, and various stakeholders that resulted in the Interim Hayden Run Corridor Plan (the "*Interim Plan*"); and

WHEREAS, in order to provide for the implementation of the Interim Plan and in accordance with the City's "Pay As We Grow and Grow with a Plan" initiative, the City entered into an unprecedented Memorandum of Understanding (the "*MOU*") with MI Homes of Central Ohio, LLC, Dominion Homes, Inc., Huntington Tower Associates, LLC, and Lifestyle Communities Ltd (the "*Developers* ") to secure the Developers' commitment to participate in the funding of infrastructure and public services that will benefit the entire northwest quadrant of Franklin County, said MOU being approved by Columbus City Council in Ordinance No. 1433-2004 on November 24, 2004; and

WHEREAS, under the terms of the MOU, the City required the Developers to petition to create a new community authority, to be called The Hayden Run Community Development Authority (the "*HRCDA* "), encompassing the District pursuant to Chapter 349 of the Ohio Revised Code, and the Developers did so; and

WHEREAS, in September 2007, the City of Columbus (the "*City* "), in response to a Petition for Organization of a New Community Authority, created the Hayden Run Community Development Authority in the area of the northwest side of Columbus generally bounded by the Columbus City Limits on the North, the Conrail Railroad Tracks on the East, Hayden Run Road on the South, and Cosgray Road on the West (the "*District*"); and

WHEREAS, also in September 2007, the HRCDA duly placed a four mill community charge on the applicable properties beginning in 2008 and notified the Franklin County Auditor thereof, and in 2008 the HRCDA renewed the four mill community development charge on the applicable properties for 2009; and

WHEREAS, an emergency exists in that it is immediately necessary to authorize the Director of Development to enter into the aforementioned Intergovernmental Cooperation Agreement so that the HRCDA may proceed expeditiously to receive the community charge funds and dispose of them cooperatively in order to facilitate the development of the City's northwest quadrant and to provide for infrastructure improvements and public services based upon the Pay As We Grow and Grow with a Plan initiative and the MOU, said immediate action being in the interest of the City in order to preserve, enhance and protect 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 be and hereby is authorized to enter into on behalf of the City of Columbus and the Columbus City Council the aforesaid Intergovernmental Cooperation Agreement with The Hayden Run Community Development Authority for the purpose of providing for the placement and use of community charge funds in a cooperative manner best designed to support the infrastructure commitments under the MOU.

Section 2. For the reasons stated in the preamble hereto, which is hereby 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 days after passage if the Mayor neither approves nor vetoes this Ordinance.