



## Legislation Details (With Text)

**File #:** RES-0008-2024      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 3/8/2024      **In control:** City Council

**On agenda:**      **Final action:** 3/18/2024

**Title:** A RESOLUTION FINDING THAT THE CREATION OF THE GAHANNA NEW COMMUNITY AUTHORITY DISTRICT WILL BE CONDUCTIVE TO THE PUBLIC HEALTH, SAFETY, CONVENIENCE AND WELFARE AND IS INTENDED TO RESULT IN THE DEVELOPMENT OF A NEW COMMUNITY, DECLARING THE NEW COMMUNITY AUTHORITY TO BE ORGANIZED AND A BODY POLITIC AND CORPORATE, DEFINING THE BOUNDARY FOR THE NEW COMMUNITY AUTHORITY, AND FIXING THE SURETY FOR THE TRUSTEES' BONDS

### Sponsors:

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**Attachments:** 1. Petition for Organization of a New Community Authority, 2. Proof of Publication - Gahanna NCA - Columbus Dispatch Received 3.15.2024, 3. RES-0008-2024 SIGNED - Finding the Creation of Gahanna New Community Authority Conducive to Public Health, Safety, Convenience and Welfare and Declaring the NCA Organized, Defining Boundary, Fixing Surety for Trustees

| Date      | Ver. | Action By              | Action                   | Result |
|-----------|------|------------------------|--------------------------|--------|
| 3/18/2024 | 1    | City Council           | Adopted                  | Pass   |
| 3/11/2024 | 1    | Committee of the Whole | Recommended for Adoption |        |

A RESOLUTION FINDING THAT THE CREATION OF THE GAHANNA NEW COMMUNITY AUTHORITY DISTRICT WILL BE CONDUCTIVE TO THE PUBLIC HEALTH, SAFETY, CONVENIENCE AND WELFARE AND IS INTENDED TO RESULT IN THE DEVELOPMENT OF A NEW COMMUNITY, DECLARING THE NEW COMMUNITY AUTHORITY TO BE ORGANIZED AND A BODY POLITIC AND CORPORATE, DEFINING THE BOUNDARY FOR THE NEW COMMUNITY AUTHORITY, AND FIXING THE SURETY FOR THE TRUSTEES' BONDS

**WHEREAS**, pursuant to Chapter 349 of the Ohio Revised Code, a petition (the "Petition") providing for the establishment of the Gahanna New Community Authority (the "Authority") to govern a proposed new community district (the "District") was filed by Crescent Woods, LLC, CP Crescent, LLC and CP Crescent Holdings, LLC, as developer of the District (the "Developer") with the Council of the City of Gahanna, Ohio (the "Council") on February 6, 2024 as required by Section 349.03(A) of the Ohio Revised Code; and

**WHEREAS**, the "organizational board of commissioners" (as that term is defined in Section 349.01 (F) of the Ohio Revised Code) for the proposed Authority is comprised solely of this Council; and

**WHEREAS**, this Council adopted Resolution No. 0003-2024 on February 19, 2024, which resolution determined that the Petition complies with the requirement of Section 349.03(A) of the Ohio Revised Code, and fixed the time and place for a public hearing on the establishment of the Authority; and

**WHEREAS**, on March 18, 2024, the Council held a public hearing on the Petition after public notice was duly published in accordance with Section 349.03 of the Ohio Revised Code.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO, THAT:**

**Section 1.** This Council determines that the District will be conducive to the public health, safety, convenience and welfare, and is intended to result in the development of a new community as defined in Section 349.01(A) of the Ohio Revised Code. This Council further confirms the determinations set forth in the recitals to this Resolution.

**Section 2.** The Petition is hereby accepted and shall be recorded, along with this resolution, in the journal of this Council, as the organizational board of commissioners.

**Section 3.** This Council hereby declares the Authority to be organized as a body politic and corporate.

**Section 4.** The corporate name of the Authority shall be the “Gahanna New Community Authority.”

**Section 5.** The District shall be defined to have the boundary set forth in the Petition.

**Section 6.** The Board of Trustees of the Authority shall be composed of seven (7) members selected as provided in the Petition, namely that this Council shall appoint by separate motion(s), three (3) citizen member Trustees, with overlapping two-year terms, to represent the interests of present and future residents of the District, and shall designate two (2) of those members to serve initial one-year terms, and one (1) member Trustee to serve as representative of local government. The Developer shall appoint the remaining three (3) members, with overlapping two-year terms, to serve on the Board of the Trustees of the Authority as representatives of the Developer and shall designate two (2) of those members to serve initial one-year terms.

**Section 7.** This Council, within one (1) year of the passage of this Resolution, shall by Resolution adopt a method for selection of successor members of the Board of Trustees and determine the

projected total population of the new community.

**Section 8.** Pursuant to Section 349.04 of the Ohio Revised Code, prior to undertaking the duties of office, there shall be posted for each member of the Board of Trustees of the Authority a bond in the amount of \$10,000 for the faithful performance of his or her duties. The initial bond premium shall be paid for by the Developer. The bond shall be with a company authorized to conduct business within the State of Ohio as a surety and shall be deposited with the Clerk (the “Clerk”) and preserved by the Clerk.

**Section 9.** Pursuant to Section 349.04 of the Ohio Revised Code, prior to undertaking the duties of office, each Trustee shall take and subscribe to an oath before an officer authorized to administer oaths in Ohio that the member will honestly and faithfully perform the duties of the member's office and such oaths shall be deposited with the Clerk of this Council.

**Section 10.** This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings in compliance with the Open Meetings Act and relevant law.

**Section 11.** This Resolution shall be in full force and effect immediately upon its adoption.