



## Legislation Details (With Text)

**File #:** 2096-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 7/7/2022      **In control:** Economic Development Committee

**On agenda:** 7/18/2022      **Final action:** 7/20/2022

**Title:** To determine to proceed with acquiring, constructing, installing, equipping, and improving off street parking facilities at the terminus of North May Street in the East Franklinton neighborhood of Columbus, and acquiring interests in the site thereof, together with all necessary and proper appurtenances, and determining that such action is necessary, and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/20/2022	1	CITY CLERK	Attest	
7/19/2022	1	MAYOR	Signed	
7/18/2022	1	COUNCIL PRESIDENT	Signed	
7/18/2022	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance declares City Council's determination to proceed with acquiring, constructing, installing, equipping, or improving off-street parking facilities at the terminus of North May Street in the East Franklinton area of Columbus.

Pursuant to Ordinance No. 0951-2017, the City and The Gravity Project, LLC entered into a Contribution Agreement (the "Agreement"), through which the City agreed to contribute \$10,000.00 per parking space for a total amount not-to-exceed \$2,000,000.00 for costs associated with constructing 200 public parking spaces and The Gravity Project, LLC agreed to make annual payments to the City through the form of a 30-year special assessment totaling \$2,410,712.70.

On November 20, 2017, Council approved a Resolution of Necessity (0278X-2017) declaring the necessity of acquiring, constructing, installing, equipping or improving off-street parking facilities for The Gravity project located at the terminus of North May Avenue in the East Franklinton neighborhood of Columbus, Ohio and levying a special assessment in order to fund a portion of the costs to construct a parking garage that will include 200 public parking spaces.

### 2. FISCAL IMPACT

No funding is required for this ordinance.

### 3. EMERGENCY DESIGNATION

Emergency legislation is requested in order to maintain the project schedule and meet community commitments.

To determine to proceed with acquiring, constructing, installing, equipping, and improving off street parking facilities at the terminus of North May Street in the East Franklinton neighborhood of Columbus, and acquiring interests in the site thereof, together with all necessary and proper appurtenances, and determining that such action is necessary, and to declare an emergency.

**WHEREAS**, this Council previously adopted Resolution 0278X-2017 (the "Resolution of Necessity") on November 20, 2017, which declared the necessity of acquiring, constructing, installing, equipping, and improving off-street parking facilities at the terminus of North May Street in the East Franklinton neighborhood of Columbus, and acquiring interests in the site thereof, together with all necessary and proper appurtenances, all as shown on the Plans and Specifications on file in the office of the Clerk of Council (the "Project"); and

**WHEREAS**, the Resolution of Necessity declared the necessity of levying Special Assessments on the Assessed Parcels in proportion to the benefits conferred upon each such Assessed Parcels from the Project in order to pay for a portion of the cost and expense of the Project; and

**WHEREAS**, pursuant to the Petition filed with this Council, The Gravity Project, LLC, as the one hundred percent (100%) owners of the Assessed Parcels have waived their rights to notice of the adoption of the Resolution of Necessity and the filing of the estimated Special Assessments as provided in Section 170 of the City Charter; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary for this Council to declare the determination to proceed with the Project in order to maintain the project schedule and meet community commitments. **NOW THEREFORE**,

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

**SECTION 1.** Capitalized terms not otherwise defined herein shall have the meaning assigned to each term in the Petition attached as Exhibit A to the Resolution of Necessity.

**SECTION 2.** This Council is determined to proceed with the acquisition, construction, installation, equipping and improving of off-street parking facilities at the terminus of North May Street, as declared necessary within Resolution 0278X-2017 passed November 20, 2017, in accordance with the Plans and Specifications and Contribution Agreement then on file in the office of the Clerk of Council (the "Project").

**SECTION 3.** The estimated Special Assessments totaling \$2,410,712.70 shall be assessed in accordance with the Resolution of Necessity, and such Special Assessments shall be assessed in the manner set forth in the Resolution of Necessity in proportion to the benefits conferred upon each such Assessed Parcel.

**SECTION 4.** That the City's share in the cost of the improvement shall include the cost of the project's construction costs.

**SECTION 5.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance 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 passage if the Mayor neither approves nor vetoes the same.