



## Legislation Details (With Text)

**File #:** 1270-2015      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 5/1/2015      **In control:** Environment Committee  
**On agenda:** 6/1/2015      **Final action:** 6/3/2015

**Title:** To amend the Capital Improvements Budget; to authorize the Director of the Department of Development to enter into a Brownfield grant agreement with UPH Holdings, LLC, for Brownfield Physical Phase II activities at 3110 Olentangy River Road, pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$200,000 from the Northland and Other Acquisitions Fund; to repeal Ordinance 0572-2013; and to declare an emergency. (\$200,000)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/3/2015	1	CITY CLERK	Attest	
6/2/2015	1	MAYOR	Signed	
6/1/2015	1	COUNCIL PRESIDENT	Signed	
6/1/2015	1	Columbus City Council	Approved	Pass

**BACKGROUND:** This legislation authorizes the expenditure of \$200,000 for a Brownfield grant award pursuant to the Green Columbus Fund established by Ordinance 1462-2010, which was later amended and replaced by Ordinance 1931-2012.

The Green Columbus Fund represents the City's commitment to foster sustainable building through LEED certification and to foster sustainable Brownfield assessment and redevelopment. The program will produce economic, environmental and social benefits for Columbus and its residents.

This Ordinance replaces Ordinance 0572-2013, which was passed by City Council on March 18, 2013. That previous ordinance and this replacement ordinance both apply to work at the same site, are for similar though not identical projects, and both ordinances authorize up to the same \$200,000 maximum dollar amount of grant funding. The previous developer/grantee was unable to attain full funding to perform the contemplated Brownfield Physical Phase II activities and hotel redevelopment. The previous grantee relinquished the undertaking to UPH Holdings, LLC, which is jointly owned by Continental Real Estate Companies and Concord Hospitality.

This legislation authorizes the Director of Development to enter into a grant agreement with UPH Holdings, LLC, for Brownfield assessment and redevelopment of the site at 3110 Olentangy River Road, subject to the project attaining Brownfield assessment and redevelopment goals of the program and meeting the terms and conditions of the agreement. It also authorizes the expenditure of up to \$200,000 in order to remove asbestos contaminated materials and perform other Brownfield Physical Phase II activities, so that hotel redevelopment can proceed. The end result will be a full-service Marriott flagged hotel with approximately 250 rooms, and a Residence Inn by Marriott with approximately 100 rooms.

Emergency action is requested so that the corrective action work can be completed in a timely manner.

**FISCAL IMPACT:** Cash is available in the 2015 Capital Improvements Budget in the Green Columbus Fund portion of Fund 735, identified as the Green Columbus Initiatives Fund.

To amend the Capital Improvements Budget; to authorize the Director of the Department of Development to enter into a Brownfield grant agreement with UPH Holdings, LLC, for Brownfield Physical Phase II activities at 3110 Olentangy River Road, pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$200,000 from the Northland and Other Acquisitions Fund; to repeal Ordinance 0572-2013; and to declare an emergency. (\$200,000)

**WHEREAS**, the Department of Development administers from city bond proceeds the Green Columbus Fund, established by Ordinance 1462-2010 and later amended and replaced by Ordinance 1931-2012; and

**WHEREAS**, the Green Columbus Fund represents the City's commitment to produce economic, environmental and social benefits for Columbus and its residents by fostering sustainable building through LEED certification and by fostering sustainable Brownfield assessment and redevelopment; and

**WHEREAS**, the original grantee will not be able to carry out the Brownfield or hotel redevelopment activities contemplated in Ordinance 0572-2013 and has sold the land, and no City funds have been expended under that grant, it is appropriate to repeal said Ordinance 0572-2013; and

**WHEREAS**, the applicant UPH Holdings has applied under the Brownfield assessment and redevelopment component of this program, the purpose of which is to encourage proper and productive use of the site, and the application has been approved by the Department of Development; and

**WHEREAS**, this legislation authorizes the Director of Development to enter into a grant agreement with UPH Holdings for Brownfield Physical Phase II activities and redevelopment at 3110 Olentangy River Road, subject to the project attaining Brownfield assessment and redevelopment goals of the program, and meeting the other terms and conditions of the agreement; and

**WHEREAS**, this Brownfield project consists of removal of asbestos contaminated materials and other Brownfield Physical Phase II activities; and

**WHEREAS**, this will enable hotel redevelopment at this site; and

**WHEREAS**, this \$200,000 Green Columbus Fund Brownfield grant is required for this purpose; and

**WHEREAS**, funding is available under the Green Columbus Fund in the Northland and Other Acquisitions Fund 735; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into the grant agreement with UPH Holdings, LLC, so work can be completed in a timely manner, all for the immediate preservation of the public health, peace, safety and welfare; **NOW, THEREFORE**,

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

**SECTION 1.** That Ordinance 0572-2013 is hereby repealed.

**SECTION 2.** That the 2015 Capital Improvements Budget, authorized by ordinance 0557-2015, is hereby amended to provide sufficient budget authority for the appropriate projects authorized within this ordinance as follows:

**Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

735 / 441749-100001 / Green Columbus Initiatives Fund / \$173,611 / \$252,479 / \$426,089

**SECTION 3.** That the Director of the Department of Development is hereby authorized to enter into a Brownfield grant agreement with UPH Holdings, LLC, for removal of asbestos contaminated materials, for other Brownfield Physical Phase II activities, and for hotel redevelopment, all under the Green Columbus Fund program, in order to assist in achieving safe and productive use of the site at 3110 Olentangy River Road.

**SECTION 4.** That for the purpose as stated in Section 3, the expenditure of \$200,000 or so much thereof as may be necessary, is hereby authorized from the Department of Development, Division 44-01, Fund 735, Green Columbus Initiatives Fund, Project 441749-100001, Object Level One 06, Object Level Three 6617, OCA 754151.

**SECTION 5.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 6.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 7.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administrating said project that the project has been completed and the monies are no longer required for said project.

**SECTION 8.** 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.