



Legislation Details (With Text)

File #: 2449-2017 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/8/2017 **In control:** Economic Development Committee

On agenda: 10/2/2017 **Final action:** 10/5/2017

Title: To authorize an amendment to the 2017 Capital Improvement Budget; to authorize the transfer of cash between projects within the same fund; to authorize and direct the Director of the Department of Development to purchase certain property owned by the Ohio Department of Transportation, and to quit claim the real property to White Castle Management Co., reserving easement rights for any existing utilities; to waive Land Review Commission requirements of the Columbus City Code; to authorize the expenditure of up to \$26,000.00 from the Development Taxable Bond Fund; and to declare an emergency. (\$26,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2449-2017 Legals and Plat Exhibit, 2. ORD2449-2017 DAX Leg Codes Taxable_White Castle

Date	Ver.	Action By	Action	Result
10/5/2017	1	CITY CLERK	Attest	
10/4/2017	1	MAYOR	Signed	
10/2/2017	1	COUNCIL PRESIDENT	Signed	
10/2/2017	1	Columbus City Council	Approved	Pass

Background: The purpose of this ordinance is to authorize the Director of the Department of Development to execute documents to allow the City to purchase certain parcels of real property that are currently unused rights of way which are owned by the Ohio Department of Transportation (ODOT) (“Property”), and then transfer the Property to White Castle Management Co., a Delaware corporation, (“White Castle”) for the purpose of facilitating the White Castle headquarters redevelopment at 555 W. Goodale Street.

The City has passed ordinance number 1602-2017 to enter into an Economic Development Agreement with White Castle and established a TIF district pursuant to ordinance number 1841-2017 in order to facilitate the mixed-use development that includes the new headquarters for White Castle.

The City has committed to contribute up to \$2 million towards eligible expenses for the redevelopment of the site. The purchase price of the Property, \$26,000.00, will be part of the City’s \$2 million commitment.

Fiscal Impact: Funds in the amount of \$26,000.00 are available for this project within the Development Taxable Bond Fund 739 for this expenditure. An amendment to the 2017 CIB is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

Emergency Justification: Emergency legislation is required to allow for the immediate acceptance and transfer of the Property, which is necessary to maintain the project schedule and to coincide with the established redevelopment timeline.

To authorize an amendment to the 2017 Capital Improvement Budget; to authorize the transfer of cash between projects within the same fund; to authorize and direct the Director of the Department of Development to purchase certain property owned by the Ohio

Department of Transportation, and to quit claim the real property to White Castle Management Co., reserving easement rights for any existing utilities; to waive Land Review Commission requirements of the Columbus City Code; to authorize the expenditure of up to \$26,000.00 from the Development Taxable Bond Fund; and to declare an emergency. (\$26,000.00)

WHEREAS, the City is committed to encouraging the redevelopment of existing real property within the City limits; and

WHEREAS, White Castle Management Co., a Delaware corporation, (“White Castle”) desires to redevelop several of its properties located in the general vicinity of 555 W. Goodale Street; and

WHEREAS, the City desires to support and facilitate the proposed redevelopment by purchasing certain real property, currently unused rights of way, owned by ODOT and then transferring it to White Castle; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Development in that it is immediately necessary to complete these transfers in a timely manner in order to maintain the project schedule, for the preservation of the public health, peace, property and safety; **NOW, THEREFORE**,

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

SECTION 1. That the 2017 Capital Improvements Budget authorized by Ordinance 1124-2017 be and 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
7739 / 782004-100000 / Vacant Housing Demolition / \$388,456 Unvoted Carryover / (\$26,000) / \$362,456
7739 / 441767-100000 / White Castle HQ Redevelopment / \$0 / \$26,000 / \$26,000

SECTION 2. That the transfer of \$26,000.00 or so much thereof as may be needed, is hereby authorized between projects within Fund 7739 Development Taxable Bonds Fund per the account codes attached to this ordinance.

SECTION 3. That the Director of the Department of Development (the “Director”) is hereby authorized to expend up to \$26,000.00 to purchase, on behalf of the City, the real property owned by the Ohio Department of Transportation, as described in the attached legal descriptions.

SECTION 4. That the Director is authorized to execute a quit claim deed, as approved by the Real Estate Division of the Department of Law, reserving therein easement rights for existing utilities, and all additional documents as may be necessary, and to take any other required action, to transfer title of the real property listed in Section 3 above to White Castle Management Co., a Delaware corporation, at no cost.

SECTION 5. That this Council hereby waives all Land Review Commission provisions of Columbus City Code Chapter 328.

SECTION 6. 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 7. 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 8. 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 administering said project that the project has been completed and the monies are no longer required for said project.

SECTION 9. That for 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.