



## Legislation Details (With Text)

**File #:** 0621-2016      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 2/25/2016      **In control:** Environment Committee  
**On agenda:** 3/14/2016      **Final action:** 3/17/2016

**Title:** To authorize the Director of the Department of Development to enter into a Brownfield grant agreement with Burwell Investments, LLC to perform a Phase I Environmental Site Assessment (ESA) and Phase II environmental assessment work pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$29,500.00 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$29,500.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0621-2016 DAX Codes Burwell Brownfield

| Date      | Ver. | Action By             | Action   | Result |
|-----------|------|-----------------------|----------|--------|
| 3/17/2016 | 1    | CITY CLERK            | Attest   |        |
| 3/16/2016 | 1    | MAYOR                 | Signed   |        |
| 3/14/2016 | 1    | COUNCIL PRESIDENT     | Signed   |        |
| 3/14/2016 | 1    | Columbus City Council | Approved | Pass   |

**BACKGROUND:** This legislation authorizes the expenditure of up to \$29,500 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 legislation authorizes the Director of Development to enter into a grant agreement with Burwell Investments, LLC for Brownfield assessment and redevelopment of the site at 114 East 5<sup>th</sup> Avenue, subject to the project attaining Brownfield assessment and redevelopment goals of the program and meeting the terms and conditions of the agreement. It authorizes the expenditure of up to \$29,500 in order to perform a Phase I and Phase II Environmental Site Assessment work. These environmental assessment studies will be done to meet BUSTR and other Ohio requirements in anticipation of applying for State of Ohio funding under the new Abandoned Gas Station Cleanup Grant Program. The property will be re-developed with a mixed use of retail stores, residential apartments, and residential condominiums.

Emergency action is requested so that the Brownfield assessment 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 7735, identified as the Green Columbus Initiatives Fund.

To authorize the Director of the Department of Development to enter into a Brownfield grant agreement with Burwell

Investments, LLC to perform a Phase I Environmental Site Assessment (ESA) and Phase II environmental assessment work pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$29,500.00 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$29,500.00)

**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 applicant Burwell Investments, LLC has applied under the Brownfield assessment and redevelopment component of this program, the purpose of which is to encourage proper and productive use of Brownfield land, in this case the former gas station site at 114 East 5<sup>th</sup> Ave.; and

**WHEREAS**, this legislation authorizes the Director of Development to enter into a Brownfield grant agreement with Burwell Investments, LLC; and

**WHEREAS**, this Green Columbus Fund Brownfield grant of up to \$29,500 is required to perform the necessary Phase I and Phase II environmental site assessment work; and

**WHEREAS**, the property will be re-developed with a mixed use of retail stores, residential apartments, and residential condominiums; and

**WHEREAS**, funding is available under the Green Columbus Fund in the Northland and Other Acquisitions Fund 7735; 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 Burwell Investments, LLC so that 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 the Director of the Department of Development is hereby authorized to enter into a Brownfield grant agreement with Burwell Investments, LLC for Phase I and Phase II environmental site assessment work under the Brownfield component the Green Columbus Fund program for the abandoned gas station site at 114 East 5<sup>th</sup> Avenue, Columbus.

**SECTION 2.** That for the purpose stated in Section 1, the expenditure of \$29,500 or so much thereof as may be needed, is hereby authorized in Fund 7735 Northland and Other Acquisitions in Object Class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**SECTION 3.** 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 4.** 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 5.** 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 6.** 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.