



## Legislation Details (With Text)

**File #:** 2045-2007      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 11/27/2007      **In control:** Finance & Economic Development Committee  
**On agenda:** 12/10/2007      **Final action:** 12/10/2007

**Title:** To authorize the Director of the Department of Finance and Management to execute those documents necessary to purchase a 53.598 acre tract of real property, currently part of the larger tract used in the quarry and mining operation of Columbus Limestone, Inc. and commonly known as 399 Frank Road, Columbus, Ohio 43207, for use in City operations and to the extent necessary, to waive the competitive bidding provisions of the Columbus City Codes; to amend the 2007 Capital Improvements Budget; to authorize the City Auditor to transfer \$3,995,000.00 between projects within the Construction Management Capital Improvement Fund; and to authorize the expenditure of \$3,995,000.00 from the Construction Management Capital Improvement Fund.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ~\$dWaiverFormFrankRoad.pdf, 2. PurchContractHaulRdrev11-27-07.pdf, 3. Haul Road Purchase Contract Exhibit B.pdf, 4. Haul Road Contract Exhibit C Plan Sheet1.pdf, 5. Haul Road Contract Exhibit C Plan Sheet2.pdf

Date	Ver.	Action By	Action	Result
12/13/2007	1	ACTING CITY CLERK	Attest	
12/12/2007	1	MAYOR	Signed	
12/10/2007	1	Columbus City Council	Read for the First Time	
12/10/2007	1	Columbus City Council	Waive the 2nd Reading	Pass
12/10/2007	1	Columbus City Council	Approved	Pass
12/10/2007	1	COUNCIL PRESIDENT	Signed	
11/30/2007	1	CITY AUDITOR	Reviewed and Approved	
11/30/2007	1	FINANCE DIRECTOR	Sent to Clerk's Office for Council	
11/30/2007	1	City Clerk's Office	Sent back for Clarification/Correction	
11/30/2007	1	Finance Drafter	Sent to Clerk's Office for Council	
11/29/2007	1	ODI DIRECTOR	Reviewed and Approved	
11/29/2007	1	Finance Drafter	Sent for Approval	
11/29/2007	1	CITY ATTORNEY	Reviewed and Approved	
11/29/2007	1	Finance Drafter	Sent for Approval	
11/29/2007	1	Auditor Reviewer	Reviewed and Approved	
11/28/2007	1	FINANCE DIRECTOR	Reviewed and Approved	
11/28/2007	1	Finance Drafter	Sent for Approval	
11/27/2007	1	Finance Drafter	Sent for Approval	

**BACKGROUND:** In 1998 City Council adopted the *Riverfront Vision* land use and development plan. The Whittier Reach section of the plan established the redevelopment of the Whittier Peninsula as an objective. City Council, via Ordinance 0074-2005, passed January 26, 2005, authorized Franklin County Metro Parks to develop a park and nature center in conjunction with Audubon Ohio on a portion of the Whittier Peninsula. The development of the park, nature center and other potential development projects necessitates that the City operations of the Parking Violations Bureau and the Impound Lot be relocated to a new site. After an exhaustive search, a site available for purchase, meeting the City's desired requirement for proximity to the central city, has been identified. The 53.598 acre site is approximately four miles from downtown. The proposed site, as it exists, is currently unimproved and inaccessible from public roadways. The City's purchase is contingent on the site being appropriately improved with all utilities, storm sewers, and roadway access.

The City of Columbus (hereinafter "City") desires to purchase that 53.598 acre tract of real property, currently part of the larger tract used in the quarry and mining operation of Columbus Limestone, Inc. and commonly known as 399 Frank Road, Columbus, Ohio 43207, for use in City operations. As a condition precedent to the City's purchase of the property, the City has negotiated with Columbus Limestone, Inc. to improve the property to provide access, utilities, water, sewer, lighting, grading, and gravel lot cover to meet the City's requirements. Engineers retained by the City have negotiated the scope of work and price of the improvements to the City's satisfaction. This legislation authorizes the Director of the Department of Finance and Management to execute those documents necessary to purchase the aforementioned real property, as improved, from Columbus Limestone, Inc.; to accept a perpetual easement for access to the site; to the extent necessary, waive the competitive bidding provisions of the Columbus City Code; and to expend \$3,995,000.00 for those costs relevant to acquisition.

This ordinance also authorizes the transfer of \$3,995,000.00 between projects within the Construction Management Capital Improvement Fund as a temporary funding measure until bonds are sold to reimburse the Impound Lot Project and amends the 2007 Capital Improvements Budget, Ordinance No. 0733-2007, to reflect the expenditure of this project.

**FISCAL IMPACT:** Funds are budgeted in the 2007 Capital Improvements Budget in the amount of \$10,200,000.00 for the total Impound Lot project. However, cash is not available in this project. The total amount will be transferred from the City Hall Renovations Project and Facility Renovations Project to the Impound Lot Project. This is a temporary measure.

To authorize the Director of the Department of Finance and Management to execute those documents necessary to purchase a 53.598 acre tract of real property, currently part of the larger tract used in the quarry and mining operation of Columbus Limestone, Inc. and commonly known as 399 Frank Road, Columbus, Ohio 43207, for use in City operations and to the extent necessary, to waive the competitive bidding provisions of the Columbus City Codes; to amend the 2007 Capital Improvements Budget; to authorize the City Auditor to transfer \$3,995,000.00 between projects within the Construction Management Capital Improvement Fund; and to authorize the expenditure of \$3,995,000.00 from the Construction Management Capital Improvement Fund.

**WHEREAS,** the *Riverfront Vision* adopted by City Council in 1998 established the land use and development goals and objectives for the Whittier Peninsula; and

**WHEREAS,** City Council, by Ordinance 0074-2005, passed January 26, 2005, authorized Franklin County Metro Parks to develop a park and nature center in conjunction with Audubon Ohio on a portion of the Whittier Peninsula; and

**WHEREAS,** the development of the park, nature center and other potential development projects necessitates that the City operations of the Parking Violations Bureau and the Impound Lot be relocated to a new site; and

**WHEREAS,** a site available meeting the City's desired requirements has been identified; and

**WHEREAS,** the City of Columbus desires to purchase that 53.598 acre tract of real property, as improved, and currently part of the larger tract used in the quarry and mining operation of Columbus Limestone, Inc. and commonly known as 399 Frank Road, Columbus, Ohio 43207, for use in City operations being moved from Whittier Peninsula in connection with its redevelopment; and

**WHEREAS,** the City desires to have Columbus Limestone, Inc. improve the property to meet the City's requirements as a condition precedent to the City's purchase of the property and engineers retained by the City have negotiated the scope of work and price of the improvements to the City's satisfaction; and

**WHEREAS**, it is therefore necessary and in the City's best interest to waive the competitive bidding provisions of Chapter 329 of the Columbus City Codes, to the extent necessary; and

**WHEREAS**, this ordinance amends the Capital Improvements Budget, Ordinance No. 0733-2007, and

**WHEREAS**, this ordinance authorizes the City Auditor to transfer \$3,995,000.00 between projects within the Construction Management Capital Improvement Fund, and

**WHEREAS**, this transfer should be considered as a temporary funding method; and

**WHEREAS**, the aggregate principal amount of obligations which the City will issue to finance this purchase is presently expected not to exceed \$3,995,000.00; now, therefore:

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

**SECTION 1.** That the Director of Finance and Management be and is hereby authorized to enter into a contract in substantially the form attached hereto and to make such changes as are necessary and not adverse to the City, to purchase an improved 53.598 acre tract of real property from a larger tract commonly known as 399 Frank Road.

**SECTION 2.** That the Director of Finance and Management be and is hereby authorized to enter into those contracts necessary to acquire ancillary parcels along the improved roadway.

**SECTION 3.** That in accordance with 329.27 of the Columbus City Codes this Council finds it is in the best interest of the City to waive, and does hereby waive, Section 329.09 of the Columbus City Codes.

**SECTION 4.** That the 2007 Capital Improvement Budget is hereby amended as follows:

**Office of Construction Management 45-50**

<u>Project/Project #</u>	<u>CIB Amount</u>	<u>Revised CIB</u>
City Hall Renovations 570031 (New Funding Only)	\$3,947,429	\$1,949,929
Facility Renovation 570030 (New Funding Only)	\$3,110,000	\$1,112,500
Impound Lot 570034 (Carryover Funding)	\$0	\$3,995,000

**SECTION 5.** That the City Auditor is hereby authorized and directed to transfer funds within the Construction Management Capital Improvement Fund as follows:

**FROM:**

Dept/Div: 45-50|Fund: 733|Project Number 570030|Project Name - Facility Renovation|OCA Code 733000|Amount \$1,997,500.00  
Dept/Div: 45-50|Fund: 733|Project Number 570031|Project Name - City Hall Renovations|OCA Code 733000|Amount \$1,997,500.00

**TO:**

Dept/Div: 45-50|Fund: 733|Project Number 570034|Project Name - Impound Lot|OCA Code 643437|Amount \$3,995,000.00

**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 expenditure of \$3,995,000.00, or so much thereof as may be necessary, be and is hereby authorized as follows:

Dept/Div: 45-50  
Fund: 733  
Project: 570034  
OCA Code: 643437  
OL1: 06  
OL3: 6601  
Amount: \$3,995,000.00

**SECTION 8.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.