



Legislation Details (With Text)

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Title: To authorize the Director of the Department of Development to enter into a Brownfield grant agreement with Burwell Investments, LLC, for corrective action Physical Phase II work at 115 E. 5th Avenue, pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$80,000 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$80,000)

Sponsors:

Indexes:

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Date	Ver.	Action By	Action	Result
12/8/2015	1	CITY CLERK	Attest	
12/8/2015	1	MAYOR	Signed	
12/7/2015	1	COUNCIL PRESIDENT	Signed	
12/7/2015	1	Columbus City Council	Approved	Pass

BACKGROUND: This legislation authorizes the expenditure of up to \$80,000 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 legislation authorizes the Director of Development to enter into a Brownfield grant agreement with Burwell Investments, LLC, for corrective action and redevelopment of the site at 115 E. 5th Avenue, 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 \$80,000 in order to remove underground storage tanks and perform related corrective action permitted under the Brownfield Physical Phase II portion of the Green Columbus Fund grant program. Under a previous Brownfield grant from the City, the recommended grantee (Burwell Investments) performed a Phase II Environmental Site Assessment that identified the need for the corrective action to be undertaken with support from the grant authorized by this ordinance. The end use at the site is to be a mixture of residential and commercial.

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

Investments, LLC, for corrective action Physical Phase II work at 115 E. 5th Avenue, pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$80,000 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$80,000)

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 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 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 Burwell Investments, LLC, for underground storage tank removal and related corrective action, and residential and commercial mixed use redevelopment at 115 E. 5th Avenue, 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 underground storage tank removal and related corrective action under Brownfield Physical Phase II portion of the Green Columbus Fund grant program; and

WHEREAS, this will enable residential and commercial redevelopment at this site; and

WHEREAS, this Green Columbus Fund Brownfield grant of up to \$80,000 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 Burwell Investments, 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 the Director of the Department of Development is hereby authorized to enter into a Brownfield grant agreement with Burwell Investments, LLC, for removal of underground storage tanks and related corrective action, all under the Green Columbus Fund program, in order to assist in achieving safe and productive residential and commercial redevelopment of the site at 115 5th Avenue.

SECTION 2. That for the purpose as stated in Section 1, the expenditure of \$80,000 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 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 hereby 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 administrating 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.