



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 1192-2007, **Version:** 1

BACKGROUND: This ordinance authorizes the Directors of the Departments of Development and the Public Service to enter into a development agreement with Whitney Young Collaborative, LLC for street and infrastructure improvements in the public right of way. The project, Whitney Young, is in the Columbus Public School District and located in an area bounded by Mount Vernon Avenue to the north, Martin Luther King Blvd east, Hamilton Avenue west. The project will contain 28 homes, condominiums and single-family.

Emergency action is requested so that the development agreement can be in place during the construction season.

FISCAL IMPACT: Cancelled funds from auditor's certificates and purchase orders will make the monies available for this project.

To amend the 2007 Capital Improvements Budget; To authorize the Directors of the Departments of Development and Public Service to enter into a development agreement with Whitney Young Collaborative, LLC, for infrastructure construction reimbursement as part of the Columbus Housing Initiatives Project, Capital Improvement Program pursuant to Section 186 of the Columbus City Charter; to authorize the expenditure of \$364,000 from the Voted 1995, 1999, and 2004 Streets and Highways Fund; and to declare an emergency. (\$364,000) (AMENDED BY ORD. 1157-2009 PASSED 9/14/2009)

WHEREAS, the Directors of the Departments of Development and Public Service desire to enter into a Development Agreement with the Whitney Young Collaborative, LLC for street and infrastructure improvements in the public right of way as part of the Columbus Housing Initiatives Project, Capital Improvement Program; and

WHEREAS, Article I. Chapter 901.01 of the Code of the City of Columbus, Ohio 1959, authorizes the Directors of the Departments of Development and Public Service to enter into an agreement providing for such improvements; and

WHEREAS, the project, Whitney Young is in the Columbus Public School District and located in an area bounded by Mount Vernon Avenue to the north, Martin Luther King Blvd east, Hamilton Avenue west.; and

WHEREAS, the development agreement will provide for the reimbursement of costs of constructing infrastructure improvements in the public right of way for 28 single-family homes; and

WHEREAS, an emergency exists in the usual daily operation of the Departments of Development and Public Service in that it is immediately necessary to enter into a development agreement for infrastructure construction reimbursement as part of the Columbus Housing Initiatives Project Capital Improvement Program so that development agreements can be in place during the construction season, thereby preserving the public health, peace, property, safety and welfare; and, **NOW, THEREFORE,**

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

Section 1. That the City Auditor is hereby authorized and directed to cancel Auditor's Certificate AC023052/001.

Section 2. That the 2007 Capital Improvements Budget, Ordinance No. 0733-2007, is hereby amended as follows:

<u>Project</u>	<u>Project No.</u>	<u>(Carryover) Current CIB</u>	<u>(Carryover) Revised CIB</u>
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Housing Initiatives- Roadway Improvements	530303	\$743,400.00	\$1,303,600.00
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Section 3. That the Directors of the Departments of Development and Public Service are hereby authorized to enter into a development agreement with Whitney Young Collaborative, LLC, for the period of July 1, 2007 to December 31, 2008, for the reimbursement of costs of constructing infrastructure improvements for 28 homes in the Whitney Young Project.

Section 4. That this development agreement is a guaranteed fixed price contract whose total amount shall not exceed \$364,000.00, including inspections, pursuant to City Charter, Section 186.

Section 5. That the sum of \$364,000, or so much thereof as may be necessary, be and is hereby authorized to be expended from Fund 704, Voted 1995, 1999 and 2004 Streets and Highway Fund, Transportation Division, Department No. 59, Object Level One Code 06, Object Level Three Code 6631, OCA Code 644385 and Project No. 530303.

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 for the reasons stated in the preamble thereto, which is hereby made a part hereof, this Ordinance is 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.