



City of Columbus

Office of City Clerk
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Legislation Text

File #: 1707-2013, **Version:** 1

BACKGROUND: This legislation authorizes the expenditure of \$200,000.00 for a Brownfield grant award pursuant to the Green Columbus Fund, which was established in October 2010 by Ordinance 1462-2010 and amended in September 2012 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 Preferred Real Estate Investments II LLC for Brownfield assessment and redevelopment of the site at 5005 Olentangy River Road, subject to the project attaining Brownfield assessment and redevelopment goals of the program, and meeting the other terms and conditions of the agreement. It also authorizes the expenditure of up to \$200,000 for this purpose.

Emergency action is requested so that the Physical Phase II corrective action work can proceed to allow removal of asbestos contaminated materials and the environmentally safe demolition of the former Kmart building.

FISCAL IMPACT: Funding is from the Green Columbus Fund - 2013 Capital Improvements Budget authorized by Ordinance 0645-2013.

To authorize the Director of the Department of Development to enter into a grant agreement with Preferred Real Estate Investments II LLC for Brownfield assessment and redevelopment of the site located at 5005 Olentangy River Road, pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$200,000.00 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$200,000.00) **(AMENDED BY ORD. 0749-2014 PASSED 3/31/2014)**

WHEREAS, the Department of Development administers from city bond proceeds the Green Columbus Fund, established by Ordinance 1462-2010 and amended in September 2012 by Ordinance 1931-2012; and

WHEREAS, the Green Columbus Fund represents the City's commitment to foster sustainable building through LEED certification and to foster sustainable Brownfield assessment and redevelopment; and

WHEREAS, the program will produce economic, environmental and social benefits for Columbus and its residents; and

WHEREAS, the applicant 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 in a manner that contributes to achieving economic, environmental and social benefits, 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 Preferred Real Estate Investments II LLC for Brownfield assessment and redevelopment of the site and building at 5005 Olentangy

River Road, 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 removal of asbestos contaminated material and other safe demolition activities involving the former Kmart store at the intersection of Olentangy River Road and Bethel Road to allow new development; and

WHEREAS, the total cost of the work is expected to be higher, but as Brownfield project grants are limited to \$200,000, the amount of reimbursement allowed on this grant is not to exceed \$200,000; 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 Preferred Real Estate Investments II LLC so that removal of asbestos contaminated material and other safe demolition activities 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 grant agreement with Preferred Real Estate Investments II LLC for Brownfield assessment and redevelopment under the Green Columbus Fund Program for the site located at 5005 Olentangy River Road, in order to assist in the safe and productive use of the site.

Section 2. That for the purpose as stated in Section 1, the expenditure of \$200,000.00 or so much thereof as may be necessary, is hereby authorized from the Department of Development, Division 44-01, Northland and Other Acquisitions Fund 735, Project 441749-100001, Object Level One 06, Object Level Three 6617, OCA Code 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 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.