



## Legislation Text

**File #: 0587-2007, Version: 1**

**Background:** Ordinance 1965-2006 authorized the Directors of Public Service and Public Utilities to enter into a reimbursement agreement with Nationwide Realty Investors, CC#311486309 expiring 4/5/09, and authorize the expenditure of the sum of \$1,364,804.00 for the design and construction of a portion of the capital improvements which are necessary and incident to the construction of Huntington Park, the new home of the Columbus Clippers Baseball team. The completion of its construction at the northwest corner of Neil Avenue and West Nationwide Boulevard in the Arena District is planned such that the stadium is available for use at the beginning of the 2009 baseball season.

Several public infrastructure improvements will be needed in order to accommodate this new facility. These include street, pedestrian, traffic signal and drainage improvements. While the previous ordinance authorized the appropriation and expenditure of \$1,364,804.00 toward the construction of these improvements, this ordinance appropriates and authorizes the remaining monies outlined within the Memorandum of Understanding (MOU). The MOU indicates the City of Columbus will contribute up to a maximum sum of \$11,439,656.00 coming from the Departments of Public Service and Public Utilities. Of this total amount \$9,300,000.00 represents the City's commitment for infrastructure needs directly attributable to the Stadium, the balance, \$2,139,656.00, is attributed to City projects - sanitary, storm and water line work - that were planned but are to be accelerated since this is a logical and cost efficient time to construct them. This ordinance authorizes the remaining funds for this maximum cost agreement and construction inspection costs up to \$10,074,852.00.

**Fiscal Impact:** \$1,364,804.00 has been legislated for this project already for design engineering, a traffic study, acquisition of right of way, construction management, and a contract performance bond. This ordinance authorizes the remaining funds (\$9,390,455.00) for the maximum cost reimbursement agreement for this project and funds to pay construction inspection costs up to \$684,397.00. \$5,595,597.00 is budgeted in the Voted 1995, 1999, 2004 Streets and Highways Fund, \$819,365.00 is budgeted in the Division of Power and Water in the Water Works Enlargement Voted 1991 Bonds Fund, \$1,424,715.00 is budgeted in the Division of Sewerage and Drainage in the Voted Sanitary Bond Fund, and \$2,235,175.00 is budgeted in the Division of Sewerage and Drainage in the Voted Storm Sewer Bond Fund. The maximum amount of the reimbursement provided within the guaranteed maximum cost agreement including the \$1,364,804.00 already authorized to be expended by ordinance 1965-2006 is \$11,439,656.00. This legislation includes a transfer within the Voted Storm Sewer Bond Fund and Voted 1995, 1999, 2004 Streets and Highways Fund to provide sufficient funding for the project, as well as an amendment to the 2007 Capital Improvements Budget to provide sufficient budget authority.

**Emergency action** is requested in order to keep this project on schedule and meet community commitments.

To amend the 2007 Capital Improvements Budget; to authorize the transfer of \$2,235,175.00 within the Voted Storm Sewer Bond Fund for the Division of Sewerage and Drainage; to authorize the transfer of \$595,597.00 within the Voted 1995,1999,2004 Streets and Highways Fund for the Transportation Division; to authorize the transfer of \$1,424,715 within the Voted Sanitary Sewer Bond Fund for the Division of Sewerage and Drainage; to authorize the expenditure of an additional \$10,074,852.00 or so much thereof as may be needed for the maximum cost reimbursement agreement and inspection for the infrastructure improvements needed in the vicinity for the Huntington Park project from the Voted 1995, 1999, 2004 Streets and Highways Fund for the Transportation Division (\$5,595,597.00), from the Water Works Enlargement Voted 1991 Bonds Fund for the Division of Power and Water (\$819,365.00), and from the Voted Sanitary and Storm Sewer Bond Funds for the Division of Sewerage and Drainage (\$3,659,890.00); and to declare an emergency. (\$10,074,852.00) **(AMENDED BY ORD. 1791-2007 PASSED 11/19/2007)**

WHEREAS, Huntington Park will be the new home of the Columbus Clippers baseball team; and

WHEREAS, several public infrastructure improvements will be needed in its vicinity in order to accommodate this facility including street, pedestrian, traffic signal, and drainage improvements; and

WHEREAS, its completion is planned to coincide with the beginning of the 2009 baseball season; and

WHEREAS, it is necessary to authorize an amendment to the 2007 Capital Improvements Budget for purposes of providing sufficient funding and spending authority for the aforementioned project expenditure; and

WHEREAS, it is necessary to transfer money within the Voted Storm Sewer Bond Fund for the Huntington Park Area Stormwater Improvement Project; and

WHEREAS, it is necessary to transfer funds within the Voted 1995, 1999, 2004 Streets and Highway Fund for this project; and

WHEREAS, it is necessary to transfer funds within the Voted Sanitary Sewer Bond Fund; and

WHEREAS, the City of Columbus will contribute up to \$9,300,000.00 for the construction of these public infrastructure improvements, and will accelerate adjacent infrastructure rehabilitation by providing additional funding of \$2,139,656.00, attributed to City projects - including storm water, sewer, and waterline rehabilitation - that were planned but are to be accelerated since this is a logical and cost efficient time to construct them; and

WHEREAS, initial funding in the amount of \$1,364,804.00 was legislated in ordinance 1965-2006 passed November 6, 2006 to begin design engineering, a traffic study, acquisition of right of way, construction management, and for a contract performance bond; and

WHEREAS, this ordinance authorizes the remaining amount of the maximum cost reimbursement agreement and provide for construction inspection costs utilizing funding from the Transportation Division and the Department of Public Utilities; and

WHEREAS, the Franklin County Commissioners have represented that sometime prior to the completion of the new Huntington Park Stadium that they will file a petition for annexation of the existing Cooper Stadium property and associated lands into the City of Columbus; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to authorize additional funding for said guaranteed maximum cost reimbursement agreement and the expenditure of such funds to maintain the project schedule and meet community commitments, thereby preserving the public health, peace property, safety and welfare; now, therefore,

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

**SECTION 1.** That the 2007 Capital Improvements Budget Ordinance No. 0733-2007, is hereby amended as follows, in order to provide sufficient budget authority for the execution of the subject construction administration and inspection contract modification agreement:

CURRENT:

611004 | Huntington Park Area Stormwater | \$1,476,000.00 (Voted Storm Sewer Bond)  
610855 | Storm Sewer Contingency | \$2,307,340.00 (Voted Storm Sewer Bond)  
530161 | Roadway Improv. | \$6,316,189.00 (Carryover)(Voted 95, 99, 04 Streets and Highways)  
530060 | Neil Avenue | \$5,000,000.00 (Carryover)(Voted 95, 99, 04 Streets and Highways)  
650404 | Sanitary System Rehabilitation | \$6,487,250.00 (Voted Sanitary Sewer Bond)  
650600 | Franklin / Main Interceptor Rehab | \$1,962,227.00 (Voted Sanitary Sewer Bond)

AMENDED TO:

611004 | Huntington Park Area Stormwater | \$3,711,175.00 (Voted Storm Sewer Bond)  
610855 | Storm Sewer Contingency | \$72,165.00 (Voted Storm Sewer Bond)  
530161 | Roadway Improv | \$5,720,592.00 (Carryover)(Voted 95, 99, 04 Streets and Highways)  
530060 | Neil Avenue | \$5,595,597.00 (Carryover)(Voted 95, 99, 04 Streets and Highways)  
650404 | Sanitary System Rehabilitation | \$5,062,535.00 (Voted Sanitary Sewer Bond)  
650600 | Franklin / Main Interceptor Rehab | \$3,386,942.00 (Voted Sanitary Sewer Bond)

**SECTION 2.** That the City Auditor be and hereby is authorized and directed to transfer cash of \$2,235,175.00 within the Voted Storm Sewer Bond Fund No. 685, Department 60-15, Object Level Three 6621, as follows:

FROM:

610855 | Storm Sewer Contingencies | OCA 685855 | \$2,235,175.00

TO:  
611004 | Huntington Park Area Stormwater | OCA 681004 | \$2,235,175.00

**SECTION 3.** That the City Auditor be and hereby is authorized and directed to transfer cash of \$595,597.00 within the Voted 1995, 1999, 2004 Streets and Highways Fund No. 704, Department 59-09, Object Level Three 6631, as follows:

FROM:  
530161 | Roadway Improvements | OCA 644385 | \$595,597.00

TO:  
530060 | Neil Avenue Area Improvements | OCA 644385 | \$595,597.00

**SECTION 4.** That the City Auditor be and hereby is authorized and directed to transfer cash of \$1,424,715.00 within the Voted Sanitary Sewer Bond Fund No. 664, Department 60-05, Object Level Three 6676, as follows:

FROM:  
650404 | Sanitary System Rehabilitation | OCA 655266 | \$1,424,715.00

TO:  
650600 | Franklin / Main Interceptor Rehab | OCA 651600 | \$1,424,715.00

**SECTION 5.** That the amount of \$1,364,804.00 has been legislated and authorized by ordinance 1965-2006 passed November 6, 2006 and it is now necessary for the Directors of Public Service and Utilities to authorize the expenditure of the remaining amount of the guaranteed maximum cost reimbursement agreement subject to City Council approval.

**SECTION 6.** That for purposes of paying the costs necessary and incident thereto, the sum of \$10,074,852.00 or so much thereof as may be needed be and hereby is authorized to be expended as follows:

Fund: 704  
Fund Name: Voted 1995, 1999, 2004 Streets and Highways  
Dept-Div/Division: 59-09  
OL1/OL3: 06/6682  
OCA: 644385  
Project No.: 530060 (Neil Avenue Area Improvements)  
Amount: \$5,595,597.00

Fund: 606  
Fund Name: Water Works Enlargement Voted 1991 Bonds Fund  
Dept-Div/Division: 60-09  
OL1/OL3: 06/6621  
OCA: 642900  
Project No.: 690236 (Water Main Rehabilitation)  
Amount: \$819,365.00

Fund: 664  
Fund Name: Voted Sanitary Bond Fund  
Dept-Div/Division: 60-05  
OL1/OL3: 06/6621  
OCA: 651600  
Project No.: 650600 (Franklin Main Interceptor)  
Amount: \$1,424,715.00

Fund: 685  
Fund Name: Voted Storm Sewer Bond Fund  
Dept-Div/Division: 60-15

OL1/OL3: 06/6621

OCA: 681004

Project No.: 681004 (Huntington Park Area Stormwater Improvements)

Amount: \$2,235,175.00

**SECTION 7.** 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 8.** 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.