



## Legislation Details (With Text)

**File #:** 2719-2014      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/11/2014      **In control:** Environment Committee

**On agenda:** 12/8/2014      **Final action:** 12/10/2014

**Title:** To authorize the Director of the Department of Development to enter into a grant agreement with Burwell Investments, LLC to enable Brownfield assessment work to proceed in order to promote safe redevelopment of the site at 115 East Fifth Avenue, pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$32,728 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$32,728.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/10/2014	1	CITY CLERK	Attest	
12/9/2014	1	MAYOR	Signed	
12/8/2014	1	COUNCIL PRESIDENT	Signed	
12/8/2014	1	Columbus City Council	Approved	Pass

**BACKGROUND:** This legislation authorizes the expenditure of up to \$32,728 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 grant agreement with Burwell Investments, LLC, for Brownfield assessment and redevelopment of the site at 115 East Fifth Avenue, 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 \$32,728 in order to perform Phase I and Phase II environmental site assessments. The site was a Sunoco gasoline service station for five decades and then a service garage. The assessment work authorized for reimbursement by this ordinance, and future corrective action or remediation, will enable the site to be redeveloped for mixed use.

Emergency action is requested so that the assessment work can be completed in a timely manner.

**FISCAL IMPACT:** Cash is available in the 2014 Capital Improvements Budget in the Green Columbus Fund portion of Fund 735, identified as Green Columbus Initiatives Fund.

To authorize the Director of the Department of Development to enter into a grant agreement with Burwell Investments,

LLC to enable Brownfield assessment work to proceed in order to promote safe redevelopment of the site at 115 East Fifth Avenue, pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$32,728 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$32,728.00)

**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 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 site was a Sunoco gasoline service station for five decades and then a service garage; 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, 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 Brownfield assessment and redevelopment of the site at 115 East Fifth 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 Phase I and Phase II Environmental Site Assessments; and

**WHEREAS**, the assessment work authorized for reimbursement by this ordinance, and future corrective action or remediation, will enable the site to be redeveloped for mixed use; and

**WHEREAS**, this \$32,728 Green Columbus Fund Brownfield grant 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 grant agreement with Burwell Investments, LLC, for Brownfield assessment and redevelopment under the Green Columbus Fund Program for the site at 115 East Fifth Avenue.

**SECTION 2.** That for the purpose as stated in Section 1, the expenditure of \$32,728 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 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.