



## Legislation Details (With Text)

**File #:** 3040-2016      **Version:** 1

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

**File created:** 11/16/2016      **In control:** Economic Development Committee

**On agenda:** 12/12/2016      **Final action:** 12/15/2016

**Title:** To amend the 2016 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Development Taxable Bonds Fund and the Streets and Highways Bond Fund; to authorize the Director of the Department of Development to enter into a Contribution Agreement with Wood G.P., Ltd. and 711, LLC for a Neighborhood Structured Parking Incentive; to authorize the Director of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement (CGMRA) for reimbursement of utility costs; to authorize the expenditure of \$1,268,843.00 within the Development Taxable Bonds Fund; to authorize the expenditure of \$231,157.00 within the Streets and Highways Bonds Fund and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Short North Parking Garage - Lincoln & Pearl Legislation Accounting Codes

Date	Ver.	Action By	Action	Result
12/15/2016	1	CITY CLERK	Attest	
12/14/2016	1	MAYOR	Signed	
12/12/2016	1	COUNCIL PRESIDENT	Signed	
12/12/2016	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

The purpose of this ordinance is to authorize the Director of the Department of Development to enter into a Contribution Agreement with Wood G.P., Ltd. and 711, LLC for a Neighborhood Structured Parking Incentive in the amount of \$1,250,000.00 and to authorize the Director of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement (CGMRA) for reimbursement of utility relocation costs in the amount of up to \$250,000.00.

In 2015, the City completed the Columbus Short North Parking Study, which developed a comprehensive list of recommendations for managing parking supply and demand in the Short North. One such recommendation was to look for opportunities to partner with developers to create an oversupply of parking in new developments to contribute to the greater supply of public parking.

711, LLC is proposing to redevelop a City-owned surface parking lot at 711 North High Street ("City Property") for a commercial office building and Wood G.P., Ltd. is proposing the redevelopment of a surface parking lot on the northeast corner of Lincoln and Pearl Streets ("Lincoln Property") for a structured parking garage with approximately 245 parking spaces and a residential component.

This project is being undertaken as a Public-Private Partnership (3P) between the City, Wood G.P., Ltd., and 711, LLC as part of the Neighborhood Structured Parking Incentive Program. In support of this project, the City is committed to providing Wood G.P., Ltd. with a Neighborhood Structured Parking Incentive of \$10,000.00 for each public space, in a total amount not-to-exceed \$1,250,000.00. Wood G.P., Ltd. is committed to dedicating 125 spaces within the structured parking garage for public use through a recorded Declaration of Public Parking Garage Covenants for a period of 30

years. As owners of property directly benefitting from the public parking garage, both Wood G.P., Ltd. and 711, LLC will make annual revenue sharing payments to the City through a special assessment on the City Property and the Lincoln Property for a period of 30 years.

In addition, the City is committed to reimbursing 711, LLC and Wood G.P., Ltd. up to \$250,000 for costs associated with electric utility infrastructure changes in Wall and Pearl Streets as required to construct the commercial office building and the Lincoln Garage.

## **2. FISCAL IMPACT**

Funds in the amount of \$1,500,000.00 are available for this project in the Development Taxable Bonds Fund within the Department of Development and the Streets and Highways Bonds Fund within the Department of Public Service.

## **3. EMERGENCY DESIGNATION**

Emergency action is requested in order to allow Wood G.P., Ltd. and 711, LLC to be able to close the transaction in order to start construction of the project.

To amend the 2016 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Development Taxable Bonds Fund and the Streets and Highways Bond Fund; to authorize the Director of the Department of Development to enter into a Contribution Agreement with Wood G.P., Ltd. and 711, LLC for a Neighborhood Structured Parking Incentive; to authorize the Director of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement (CGMRA) for reimbursement of utility costs; to authorize the expenditure of \$1,268,843.00 within the Development Taxable Bonds Fund; to authorize the expenditure of \$231,157.00 within the Streets and Highways Bonds Fund and to declare an emergency.

**WHEREAS**, in 2015, the City completed the Columbus Short North Parking Study, which outlined a comprehensive list of recommendations for managing parking supply and demand in the Short North; and

**WHEREAS**, one of the Study's recommendations was to look for opportunities to partner with developers to create an oversupply of parking in new developments to contribute to the greater public parking supply; and

**WHEREAS**, 711, LLC is proposing to redevelop a surface parking lot at 711 North High Street for a commercial office building; and

**WHEREAS**, Wood G.P., Ltd. is proposing to redevelop a surface parking lot on the northeast corner of Lincoln and Pearl Streets for a structured parking garage with approximately 245 parking spaces (the "Lincoln Garage") and a residential component; and

**WHEREAS**, Wood G.P., Ltd. is committed to dedicating a minimum of 125 spaces within the Lincoln Garage for public use through a recorded Declaration of Public Parking Garage Covenants for a period of 30 years; and

**WHEREAS**, this project is being undertaken as a Public-Private Partnership (3P) between the City, Wood G.P., Ltd. and 711, LLC as part of the Neighborhood Structured Parking Incentive Program; and

**WHEREAS**, the City is committed to providing Wood G.P., Ltd. with a Neighborhood Structured Parking Incentive of \$10,000.00 for each public parking space, in a total amount not-to-exceed \$1,250,000.00; and

**WHEREAS**, the City is committed to reimbursing 711, LLC and Wood G.P., Ltd. an amount of up to \$250,000 for costs associated with electric utility infrastructure changes in Wall and Pearl Streets as required to construct the projects; and

**WHEREAS**, Wood G.P., Ltd. and 711, LLC, as owners of property directly benefitting from the public parking garage, will make annual revenue sharing payments to the City through a special assessment on the City Property and the Lincoln Property for a period of 30 years; and

**WHEREAS**, this ordinance authorizes the Director of the Department of Development to enter into a Contribution Agreement for a Neighborhood Structured Parking Incentive and the Director of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement (CGMRA) with Wood G.P., Ltd. and 711, LLC, LLC to outline the terms and conditions for the project; and

**WHEREAS**, it is necessary to authorize an amendment to the 2016 Capital Improvement Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the Director to enter into said agreements so as to allow Wood G.P., Ltd. and 711, LLC to begin construction of the project, thereby immediately 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 2016 Capital Improvement Budget authorized by Ordinance 0960-2016 be amended as follows to provide sufficient authority for this project:

Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended

7739 / P440104-100018 / Economic Development - Short North Parking - TAXABLE / \$2,500,000.00 / (\$1,268,843.00) / \$1,231,157.00

7739 / P440104-100026 / Miscellaneous Economic Development - Short North Parking Garage - Lincoln & Pearl/Woods / \$0.00 / \$1,268,843.00 / \$1,268,843.00

7704 / P590415-100009 / Pizzuti/Short North Projects - Utility Improvements / \$231,157.00 / (\$231,157.00) / \$0.00

7704 / P440104-100026 / Miscellaneous Economic Development - Short North Parking Garage - Lincoln & Pearl/Woods / \$0.00 / \$231,157.00 / \$231,157.00

**SECTION 2.** That the transfer of \$1,268,843.00, or so much thereof as may be needed, is hereby authorized between projects within Fund 7739 Development Taxable Bonds Fund per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$231,157.00, or so much thereof as may be needed, is hereby authorized between projects within Fund 7704 Streets and Highways Bond Fund per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That the Director of the Department of Development be and is hereby authorized to enter into a Contribution Agreement on behalf of the City with Wood G.P., Ltd., 939 North High Street, Suite 206, Columbus, OH 43201, and 711, LLC, 939 North High Street, Suite 206, Columbus, OH 43201, to outline the mutual commitments of the parties relating to a Neighborhood Structured Parking Incentive and the reimbursement of utility costs.

**SECTION 5.** That the Director of the Department of Public Service be and is hereby authorized to enter into a Construction Guaranteed Maximum Reimbursement Agreement (CGMRA) on behalf of the City with Wood G.P., Ltd., 939 North High Street, Suite 206, Columbus, OH 43201, and 711, LLC, 939 North High Street, Suite 206, Columbus, OH 43201 for the reimbursement of utility costs.

**SECTION 6.** That the expenditure of \$1,268,843.00 so much thereof as may be needed and hereby is authorized from Fund 7739 Development Taxable Bonds Fund in Object Class 06 Building and Facility Construction & Maintenance Services per the accounting codes in the attachment to this ordinance.

**SECTION 7.** That the expenditure of \$231,157.00 or so much thereof as may be needed and hereby is authorized from Fund 7704 Streets and Highways Bonds Fund in Object Class 06 Building and Facility Construction & Maintenance Services per the accounting codes in the attachment to this ordinance.

**SECTION 8.** 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 9.** 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 10.** 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 administering said project that the project has been completed and the monies are no longer required for said project.

**SECTION 11.** 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.