



## Legislation Details (With Text)

**File #:** 0190-2020      **Version:** 1

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

**File created:** 1/10/2020      **In control:** Public Service & Transportation Committee

**On agenda:** 2/3/2020      **Final action:** 2/5/2020

**Title:** To authorize the Director of the Public Service Department to enter into a Design Guaranteed Maximum Reimbursement Agreement with DEL Partners, LLC to support the design of public infrastructure improvements for the King Lincoln District - Long, Garfield, Monroe and Talmadge project; to authorize the expenditure of up to \$435,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$435,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 0190-2020 Accounting Codes

Date	Ver.	Action By	Action	Result
2/5/2020	1	CITY CLERK	Attest	
2/4/2020	1	MAYOR	Signed	
2/3/2020	1	COUNCIL PRESIDENT PRO-TEM	Signed	
2/3/2020	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into a Design Guaranteed Maximum Reimbursement Agreement (DGMRA) with DEL Partners, LLC (the “Development Team”) concerning the redevelopment of the former McNabb Funeral Home site located on the north side of East Long Street between Garfield Avenue and Monroe Avenue in the King Lincoln District on the Near East Side.

Undertaken in cooperation and partnership with the City of Columbus and Columbus Next Generation Corporation, this development project will result in a mixed-use development on the site that includes the construction of 130 residential units and up to 10,000 square feet of ground floor commercial space (the “Project”). The private investment in the Project will be approximately twenty million dollars (\$20,000,000.00).

Design and construction of public infrastructure improvements through and around the site will occur in conjunction with the development of the Project. Improvements will be constructed on East Long Street (from Garfield Avenue to Monroe Avenue), Garfield Avenue (from Long Street to Mayme Moore Place), and Monroe Avenue (from Long Street to Spring Street). Talmadge Street has been vacated from Long Street to the first alley north of Long Street and will be reconstructed from the first alley north of Long Street to approximately 150’ north. An unnamed east-west alley north of Long Street will be reconstructed from Garfield Avenue to Talmadge Street. Streetscapes will include new pavement, new curbs to replace existing curbs (sandstone curbs will be refurbished where needed), six-foot wide sidewalks, pedestrian lighting, litter receptacles, street trees and necessary utility relocation work. Utility improvements will be constructed on Talmadge Street (from Long Street to approximately 115’ north of the first east/west alley north of Long Street) and the first east/west alley north of Long Street (from Garfield to Talmadge).

Ordinance 1486-2019 authorized the Director of Development to execute an Economic Development Agreement (EDA), effective June 18, 2019, with the Development Team outlining the plans and certain commitments of both parties relating to the Project. Pursuant to the EDA, the Development Team will provide the upfront financing for the design of the

public infrastructure improvements, presently estimated to cost four hundred and thirty five thousand dollars (\$435,000.00), and will be reimbursed by the City contingent upon City Council authorization of a design guaranteed maximum reimbursement agreement. The Development Team also will provide the City with any right-of-way and/or permanent or temporary easements necessary to construct the public infrastructure improvements. The Department of Development will, over time, submit for City Council consideration, either through the Department of Development or other City departments, all necessary legislation to authorize the expenditure of funds to facilitate the completion of public infrastructure improvements to be made in support of the Project.

## **2. CONTRACT COMPLIANCE**

The contract compliance number for DEL Partners, LLC is CC029934, which expires June 13, 2021.

## **3. FISCAL IMPACT**

This is a budgeted expense within the Streets and Highways Bond Fund, Fund 7704, Project P441770-100000 (King Lincoln District - Long, Garfield, Monroe and Talmadge).

## **4. EMERGENCY DESIGNATION**

Emergency action is requested to facilitate the execution of the aforementioned DGMRA so as to prevent needless delays in the commencement and completion of the design of necessary public infrastructure improvements.

To authorize the Director of the Public Service Department to enter into a Design Guaranteed Maximum Reimbursement Agreement with DEL Partners, LLC to support the design of public infrastructure improvements for the King Lincoln District - Long, Garfield, Monroe and Talmadge project; to authorize the expenditure of up to \$435,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$435,000.00)

**WHEREAS**, the King Lincoln District - Long, Garfield, Monroe and Talmadge project will culminate in the construction of a \$20 million mixed-use development that will include approximately 130 residential units and up to 10,000 square feet of ground floor retail space as well as public infrastructure improvements to streets in and around the site (the "Project"); and

**WHEREAS**, this Project is being undertaken as a Public-Private Partnership (3P) between the City of Columbus, Columbus Next Generation Corporation, and DEL Partners, LLC; and

**WHEREAS**, DEL Partners, LLC (the "Development Team") has agreed to provide the upfront financing for the design of public infrastructure improvements necessary to the completion of the Project; and

**WHEREAS**, the City desires to enter into a Design Guaranteed Maximum Reimbursement Agreement (DGMRA) with the Development Team for \$435,000.00 to support the design of public infrastructure improvements for the Project; and

**WHEREAS**, the City's agreement to provide financial assistance for construction of the Project, as set forth herein, is contingent upon authorization pursuant to subsequent adoption of appropriate legislation by Columbus City Council; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the execution of the aforementioned DGMRA so as to prevent needless delays in the commencement and completion of the design of necessary public infrastructure improvements, 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 Director of Public Service be and is hereby authorized to enter into a Design Guaranteed Maximum Reimbursement Agreement on behalf of the City with DEL Partners, LLC, relative to the design of public infrastructure improvements necessary to the completion of the King Lincoln District - Long, Garfield, Monroe and Talmadge project.

**SECTION 2.** That the expenditure of \$435,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways G.O. Bonds), Dept-Div 59-12 (Division of Design and Construction), Project P441770-

100000 (King Lincoln District - Long, Garfield, Monroe and Talmadge) in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

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

**SECTION 6.** That for 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.