



Legislation Details (With Text)

File #: 2457-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/26/2020 **In control:** Finance Committee

On agenda: 11/9/2020 **Final action:** 11/12/2020

Title: To appropriate funding for the Starling Street Parking Garage; to authorize the expenditure of \$30,700,000 from the Parking Garages Fund; and to declare an emergency. (\$30,700,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Starling Street Construction

Date	Ver.	Action By	Action	Result
11/12/2020	1	CITY CLERK	Attest	
11/11/2020	1	MAYOR	Signed	
11/10/2020	1	COUNCIL PRESIDENT	Signed	
11/9/2020	1	Columbus City Council	Approved	Pass

The City of Columbus has undertaken a multi-phase project in cooperation with the Columbus Downtown Development Corporation and Franklin County to redevelop the Scioto Peninsula. As part of that project and to support the redevelopment, the City has engaged Capitol South Community Urban Redevelopment Corporation, an Ohio nonprofit corporation ("Capitol South"), to construct a parking garage which will be financed and owned by the City (the "Project").

The Project involves the design and construction of a parking facility containing approximately 1,400 parking spaces (the "Facility") to support private development planned to take place on the Scioto Peninsula. The Facility will be located on property bounded by Capital Street on the north, Starling Street on the east, the Norfolk Southern railroad tracks west of Starling Street on the west, and West Town Street to the south.

Ordinance 3223-2019 previously authorized the Director of Finance and Management, on behalf of the Director of Public Service, to enter into an agreement with Capitol South for design and construction of the Facility in the initial amount of \$1,500,000 and made full funding for construction subject to future appropriation by this Council for that purpose. Ordinance 1636-2020 authorized the issuance of limited tax bond anticipation notes for the purpose of financing the costs of construction of the Facility.

The design-builder engaged by Capitol South has proposed a guaranteed maximum price ("GMP") of \$30,080,157 for construction of the Facility, and based on this GMP, Capitol South anticipates that the total cost to develop the Facility will be \$30,700,000, including appropriate construction contingency and other expenses.

The Contract Compliance Number for Capitol South Community Urban Redevelopment Corporation is #76-0704655.

EMERGENCY JUSTIFICATION: An emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to appropriate construction funding for the Facility so that the construction schedule can be maintained and the redevelopment project can open as scheduled, thereby preserving the public health, safety and welfare.

FISCAL IMPACT: A note issuance has been authorized under ordinance 1636-2020 to fully fund this legislation. The note issuance proceeds are anticipated to be deposited in November 2020. Ordinance is contingent upon issuance of the note.

To appropriate funding for the Starling Street Parking Garage; to authorize the expenditure of \$30,700,000 from the Parking Garages Fund; and to declare an emergency. (\$30,700,000.00)

WHEREAS, the City previously entered into an agreement with Capitol South Community Urban Redevelopment Corporation (“Capitol South”), an Ohio nonprofit corporation, for the administration of the design and construction of the Starling Street Garage Project; and

WHEREAS, the agreement between the City and Capitol South contemplated that full construction funding for the Starling Street Garage would be subject to future appropriation after receipt of a guaranteed maximum price (“GMP”) proposal from the Construction Manager engaged by Capitol South; and

WHEREAS, the Construction Manager has proposed a GMP of \$30,080,157 for construction, and based on the GMP, Capitol South anticipates that the total cost to construct the Starling Street Garage will be \$30,700,000 including appropriate construction contingency and other expenses; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to appropriate construction funding for the Starling Street Garage so that the construction schedule can be maintained and the Project can open as scheduled, thereby preserving the public health, safety and welfare; **NOW, THEREFORE,**

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

SECTION 1. That funding in the amount of \$30,700,000 is hereby appropriated for the construction and related expenses of the Starling Street Garage pursuant to the agreement between the City and Capitol South Community Urban Redevelopment Corporation (“Capitol South”) governing construction of the Starling Street Garage.

SECTION 2. That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2020, the sum of \$30,700,000 is appropriated in Fund,6400 (Parking Garages), Subfund, 640012 (Starling Garage) Dept-Div 4550 (Finance and Management) in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 3. That to pay the cost of said agreement, the expenditure of \$30,700,000 or so much thereof as may be necessary, be and is hereby authorized per the account codes in the attachment to this ordinance.

SECTION 4. That the Director of Finance and Management be and is hereby authorized and directed to execute a notice to proceed to Capitol South committing \$30,700,000 in funding for the Starling Street Garage.

SECTION 5. That the monies in the foregoing Section 3 shall be paid upon order of the Director of Finance and Management, and that no order shall be drawn or monies paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 6. 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 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 the project described in this ordinance is a Major Project and an Approved Project and that any expenses borne by Capitol South in furtherance thereof are Qualifying Expenses for the purposes of the Operative Agreement between the City and Capitol South.

SECTION 9. 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.