



## Legislation Text

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**File #:** 2211-2021, **Version:** 1

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This ordinance authorizes an infrastructure maintenance agreement between the City of Columbus, Department of Public Utilities, and Annex at River South II, Ltd, the developer of the Otto Beatty Building streetscape improvements between the roadway pavement and right-of-way line of South High Street from a point 194 feet south of West Rich Street to West Rich Street. These storm water improvements will be owned by the City of Columbus; and installed and privately maintained by Annex at River South II, Ltd.

**EMERGENCY DESIGNATION:** This ordinance is being requested as an **Emergency** ordinance in order to meet timelines for the private installation and maintenance agreement.

**FISCAL IMPACT:** There is no cost for the agreement authorized by this ordinance.

To authorize the Director of the Department of Public Utilities to enter into an infrastructure agreement with developer Annex at River South II, Ltd. for the private installation and maintenance of the City of Columbus-owned storm water collection and conveyance system into the High Street Right-of-Way at the Otto Beatty Building, located at 229-237 South High Street, Columbus, Ohio as part of the Otto Beatty Building Streetscape Improvements, Plan 3244-E; and to declare an emergency.

**WHEREAS,** the responsible management of privately maintained storm water facilities within the public rights-of way and the continued development of the City are of major civic importance, and

**WHEREAS,** it is the purpose of this infrastructure agreement to promote the health and safety of users of the public right -of-way within the City and to enhance the aesthetics of the City; and

**WHEREAS,** the developer, Annex at River South II, Ltd., is undertaking storm water improvements within the public rights-of way within the City in association with the development of the property located at 229-237 South High Street, PID 010-008955; and

**WHEREAS,** the storm water improvements are set forth within City of Columbus Plan Number 3244-E Otto Beatty Building Streetscape Improvements, the limits of said improvements being between the roadway pavement and right-of-way line of South High Street from a point 194 feet south of West Rich Street to West Rich Street; and

**WHEREAS,** the improvements to be installed by the developer are intended to manage storm water flows and include storm water sewers and inlets; and

**WHEREAS,** the improvements will be owned by the City and privately maintained by the developer, and

**WHEREAS,** the approval of the installation of these improvements by the developer is conditioned upon the promise and obligation of the developer to undertake all maintenance of the storm water facilities as outlined in the agreement; and

**WHEREAS,** the developer is the owner of the abutting property and has expressed a willingness to undertake all maintenance responsibilities associated with the storm water facilities in the agreement;

**WHEREAS**, an emergency exists in the usual daily operations of the Department of Public Utilities, in that it is immediately necessary to authorize the Director to enter into an infrastructure agreement with Annex at River South II, Ltd. for the maintenance of storm water collection and conveyance system into the High Street Right-of-Way at the Otto Beatty Building, located at 229-237 South High Street, Columbus, Ohio at the earliest practical date for the preservation of 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 Utilities is hereby authorized to enter into an agreement with Annex at River South II, Ltd. for the maintenance of storm water collection and conveyance system into the High Street Right-of-Way at the Otto Beatty Building, located at 229-237 South High Street, Columbus, Ohio.

**SECTION 2.** That for the reasons stated in the preamble hereto, which is made a part hereof, this ordinance is 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 (10) days after passage if the Mayor neither approves nor vetoes this ordinance.