



Legislation Details (With Text)

File #: 3166-2017 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/17/2017 **In control:** Recreation & Parks Committee

On agenda: 12/11/2017 **Final action:** 12/14/2017

Title: To authorize the City Attorney to spend City funds to acquire and accept in good faith certain fee simple title and lesser real estate located in the vicinity of Olentangy River Road and Clubview Boulevard Columbus Ohio, 43235 and contract for associated professional services in order for CRPD to timely complete the acquisition of the property; and to declare an emergency. (\$303,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. DAX funding information Olentangy Trail Extension - Worthington Hills

Date	Ver.	Action By	Action	Result
12/14/2017	1	CITY CLERK	Attest	
12/13/2017	1	MAYOR	Signed	
12/11/2017	1	COUNCIL PRESIDENT	Signed	
12/11/2017	1	Columbus City Council	Approved	Pass

BACKGROUND:

The City’s Recreation and Parks Department (CRPD) is engaged in the Greenways - Olentangy Trail - Worthington Hills Extension (P510306-100004) Public Improvement Project PID 99533(“Public Project”). This project will extend the Olentangy Trail from Worthington Hills to Clubview Boulevard. The City must acquire in good faith and accept certain fee simple title and lesser real estate located in the vicinity of Olentangy River Road and Clubview Boulevard Columbus Ohio, 43235 (collectively, “Real Estate”). Accordingly, CRPD requested the City Attorney to acquire the Real Estate in good faith and contract for associated professional services (e.g. surveys, title work, appraisals, etc.) in order for CRPD to timely complete the acquisition of the property.

The Olentangy Trial is the busiest trial in Ohio. Recent trail counts show that the trail had over 1,000,000 uses in 2015. Several segments of the trail receive over 1,000 users per day. The trail currently ends at Worthington Hills Park along the Olentangy River a mile north of I-270. This northern end of the trail is a major access point and is one of the heaviest destination points on the 14 mile trail. Over 4,700 residents live within a 10 minute walk of this project.

CONTRACT COMPLIANCE:

Not applicable.

FISCAL IMPACT:

\$303,000.00 is required and budgeted for the City Attorney to acquire the Real Estate and CRPD determined it will come from CRPD’s Voted Bond Fund, Fund 7702.

EMERGENCY JUSTIFICATION:

An emergency exists in the usual daily operation of the Recreation and Parks Department in order to meet the deadlines of the ODOT project funding.

To authorize the City Attorney to spend City funds to acquire and accept in good faith certain fee simple title and lesser real estate located in the vicinity of Olentangy River Road and Clubview Boulevard Columbus Ohio, 43235 and contract for associated professional services in order for CRPD to timely complete the acquisition of the property; and to declare an emergency. (\$303,000.00)

WHEREAS, the City intends to acquire a trail easement to extend the Olentangy Trail along the Olentangy Valley Shopping Center; and

WHEREAS, the City intends for the City Attorney to acquire in good faith and accept the necessary fee simple title and lesser real estate located the vicinity of Olentangy River Road and Clubview Boulevard Columbus Ohio, 43235 (*i.e.* Real Estate) in order for Recreation and Parks Department (CRPD) to complete the Project; and

WHEREAS, the City intends to spend funds from the Recreation and Parks Department’s Voted Bond Fund, Fund 7702 in order to acquire the Real Estate; and

WHEREAS, it is necessary to amend the 2017 Capital Improvement Budget and transfer funding within the Recreation and Parks Voted Bond Fund; and

WHEREAS, the City intends for the City Attorney to spend City funds to acquire the Real Estate in good faith and contract for associated professional services (*e.g.* surveys, title work, appraisals, *etc.*); and

WHEREAS, an emergency exists in the usual daily operation of the CRPD in that it is immediately necessary to acquire the Real Estate without delay, which will preserve the public peace, property, health, welfare, and safety; and **now, therefore,**

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

SECTION 1. That the City Attorney is authorized to acquire in good faith and accept certain fee simple title and lesser real estate located in the vicinity of Olentangy River Road and Clubview Boulevard Columbus Ohio, 43235 (*i.e.* Real Estate) in order for the Recreation and Parks Department (CRPD) to timely complete the Greenways - Olentangy Trail - Worthington Hills Extension (P510306-100004) Public Improvement Project PID 99533 (“Public Project”).

SECTION 2. That the City Attorney is authorized to contract for professional services (*e.g.* surveys, title work, appraisals, *etc.*) associated with the Real Estate’s acquisition for the project.

SECTION 3. That the City Attorney, in order to exercise the authority described in Sections One (1) and Two (2) of this ordinance, is authorized to spend up to Three Hundred and Three Thousand and 00/100 U.S. Dollars (\$303,000.00), or as much as may be necessary, from CRPD’s Voted Bond Fund, Fund 7702 according to the account codes in the attachment to this ordinance.

SECTION 4. That the 2017 Capital Improvements Budget Ordinance 1124-2017 is hereby amended as follows in order to provide sufficient budget authority for this legislation and future projects.

Fund / Project / Project Name / Current / Change / Amended

Fund 7702; P510306-100000; Greenways - Olentangy Trail (SIT Supported) / \$244,616 / (\$244,616) / \$0
Fund 7702; P510316-100000; Greenways Projects (SIT Supported) / \$2,302,749 / (\$58,384) / \$2,244,365

Fund 7702; P510306-100004; Greenways - Olentangy Trail - Worthington Hills Extension (SIT Supported) / \$0 / \$303,000 / \$303,000

SECTION 5. That the City Auditor is authorized and directed to establish any appropriate accounting codes once the funds necessary to carry out the purpose of this ordinance are deemed appropriated.

SECTION 6. That the City Auditor is authorized and directed to transfer any unencumbered balance in the Public Project's account to the unallocated balance within the same fund upon receipt of certification by the director of the department administering the real estate acquisition is complete and the monies are no longer required for the project, except that no transfer can be made from a project account by monies from more than one source.

SECTION 7. That the City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

SECTION 8. That the City Auditor is authorized and directed to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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 10 days after passage if the Mayor neither approves nor vetoes the same.