



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 5/7/2024 **In control:** Neighborhoods, Recreation, & Parks Committee

On agenda: 6/24/2024 **Final action:** 6/26/2024

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 Sunbury Drive, Mock Road and Hudson Street Columbus, Ohio 43219, and contract for associated professional services in order for the Recreation and Parks Department to timely complete the acquisition of Real Estate for the Alum Creek Trail - Mock Road Connector Project; to authorize the transfer of \$50,000.00 within the Recreation and Parks Voted Bond Fund; to authorize the amendment of the 2023 Capital Improvements Budget; to authorize the expenditure of up to \$50,000.00 from the Recreation and Parks Voted Bond Fund 7702; and to declare an emergency. (\$50,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Mock Road Connector Trail Acquisition Additional Funds - ATTACHMENT

Date	Ver.	Action By	Action	Result
6/26/2024	1	CITY CLERK	Attest	
6/25/2024	1	MAYOR	Signed	
6/24/2024	1	COUNCIL PRESIDENT	Signed	
6/24/2024	1	Columbus City Council	Approved	Pass

BACKGROUND: The City’s Recreation and Parks Department (“CRPD”) is engaged in the Alum Creek Trail - Mock Road Connector Project, (“Public Project”). This project will allow for a direct 1.2 mile connection for the near Northeast Community to the City’s regional trail system. The connector will be an 8-foot-wide paved path from the Alum Creek Trail at Sunbury Drive and Mock Road, heading west and connecting directly to the city’s new Hudson Street Greenway. This connection will open a seamless 3.5 mile east-west trail from I-71 to the Alum Creek Trail. By linking these two east-west projects, over 6,000 residents of the Arlington Park, Woodland Holt, Brittany Hills, Argyle Park, and East Linden neighborhoods will be within 10 minutes of walking and biking connectivity to parks, churches, schools, retail, and jobs.

The near Northeast area of Columbus lacks safe, easy access to parks, schools, regional trails, and neighborhood destinations. In 2020, CRPD received Clean Ohio Trails Funding the Ohio Department of Natural Resources towards constructing this 1.2 mile trail connector along Mock Road. The connector will tie into the Alum Creek Trail at Sunbury Road, and directly connect to the City’s Hudson Street Greenway. Once completed, over 4 miles of east/west connectivity will be available.

The City must acquire in good faith and accept certain fee simple title and lesser real estate located in the vicinity of Sunbury Drive, Mock Road and Hudson Street Columbus, Ohio 43219 (collectively, “Real Estate”). Accordingly, CRPD requested that the City Attorney 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 City previously passed Ordinance number 2465-2023 authorizing the expenditure of \$92,000.00 from the Recreation and Parks Voted Bond Fund 7702. It is now necessary to authorize the expenditure of an additional \$50,000.00 to

complete the acquisition of the property.

CONTRACT COMPLIANCE: Not applicable.

FISCAL IMPACT: \$50,000.00 is budgeted and available from within the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of this acquisition.

EMERGENCY JUSTIFICATION: Emergency action is requested in order to immediately allow the City Attorney to spend funds to acquire and accept the Real Estate to meet commitments to the property owners that will allow Recreation and Parks to proceed with the project without unnecessary delay, which will preserve the public peace, health, property, safety, and welfare.

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 Sunbury Drive, Mock Road and Hudson Street Columbus, Ohio 43219, and contract for associated professional services in order for the Recreation and Parks Department to timely complete the acquisition of Real Estate for the Alum Creek Trail - Mock Road Connector Project; to authorize the transfer of \$50,000.00 within the Recreation and Parks Voted Bond Fund; to authorize the amendment of the 2023 Capital Improvements Budget; to authorize the expenditure of up to \$50,000.00 from the Recreation and Parks Voted Bond Fund 7702; and to declare an emergency. (\$50,000.00)

WHEREAS, the City intends to acquire certain fee simple title and lesser real estate to build the Alum Creek Trail - Mock Road Connector Project (“Public Project”); 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 in the vicinity of Sunbury Drive, Mock Road and Hudson Street Columbus, Ohio 43219 (collectively, “Real Estate”) in order for the Recreation and Parks Department (“CRPD”) to complete the Public Project; 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, the City previously passed Ordinance number 2465-2023 authorizing the expenditure of Ninety-Two Thousand and 00/100 U.S. Dollars (\$92,000.00) for the acquisition of the Real Estate and associated professional services (e.g. surveys, title work, appraisals, etc.); and

WHEREAS, it is now necessary to authorize the expenditure of an additional Fifty Thousand and 00/100 U.S. Dollars (\$50,000.00) to complete the acquisition of the property and associated professional services; and

WHEREAS, this ordinance authorizes the City Attorney’s Office, Real Estate Division, to expend up to an additional Fifty Thousand and 00/100 U.S. Dollars (\$50,000.00) or so much as may be necessary to hire professional services and negotiate with property owners to acquire the various property rights necessary to complete the Public Project; and

WHEREAS, the City intends for the Director of CRPD to execute and acknowledge any document(s) necessary to complete the purchase of the Real Estate; and

WHEREAS, it is necessary to authorize the transfer of \$50,000.00 within the Recreation and Parks Voted Bond Fund 7702; and

WHEREAS, it is necessary to authorize the amendment of the 2023 Capital Improvements Budget Ordinance 1711-2023 in order to provide sufficient budget authority for this and future projects; and

WHEREAS, the City intends to spend funds from the Recreation and Parks Voted Bond Fund 7702 in order to acquire the

Real Estate; 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 in order for the Recreation and Parks Department to timely complete the Alum Creek Trail - Mock Road Connector Project, all for the immediate preservation of the public health, peace, property, safety and welfare; 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 Sunbury Drive, Mock Road and Hudson Street Columbus, Ohio 43219, (collectively, "Real Estate") in order for the Recreation and Parks Department ("CRPD") to timely complete the Alum Creek Trail - Mock Road Connector Project (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 Public Project.

SECTION 3. That the director of CRPD be, and hereby is, authorized to execute those documents, prepared by the City Attorney's Office, Department of Law, Real Estate Division, necessary to complete the purchase of the Real Estate.

SECTION 4. That the transfer of \$50,000.00 or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Bond Fund 7702 per the account codes in the attachment to this ordinance.

SECTION 5. That the 2023 Capital Improvements Budget Ordinance 1711-2023 is hereby amended as follows in order to provide sufficient budget authority for this ordinance and future projects.

Fund / Project / Project Name / Current Revised Authority / Current Remaining Authority / Change / Amended Revised Authority / Amended Remaining Authority

Fund 7702 / P513015-100000 / Gantz Road Willow Creek Acquisition (Voted 2022 SIT Supported) / \$750,000 / \$750,000 / (\$50,000) / \$700,000 / \$700,000

Fund 7702 / P513011-100000 / Mock Road Connector Acquisition (Voted 2022 SIT Supported) / \$0 / \$0 / \$50,000 / \$50,000 / \$50,000

SECTION 6. 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 Fifty Thousand and 00/100 U.S. Dollars (\$50,000.00) or as much as may be necessary, from the Recreation and Parks Voted Bond Fund 7702 according to the account codes in the attachment to this ordinance, which is made a part of this ordinance and fully incorporated for reference as if rewritten.

SECTION 7. 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 8. 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 Public Project that the Public Project is complete and the monies are no longer required for the Public Project, except that no transfer can be made from a project account by monies from more than one source.

SECTION 9. That the City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

SECTION 10. 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 11. That this ordinance, for the reasons stated in the preamble, which are made a part of this ordinance and fully incorporated for reference as if rewritten, is declared to be an emergency measure and shall take effect and be in force from and after this ordinance's passage and approval by the Mayor or ten (10) days after its adoption if the Mayor neither approves nor vetoes this ordinance.