



## Legislation Details (With Text)

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**File #:** 0074-2016      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 12/30/2015      **In control:** Recreation & Parks Committee  
**On agenda:** 2/1/2016      **Final action:** 2/5/2016  
**Title:** To authorize the City Attorney to spend funds to acquire in good faith certain fee simple title and lesser real property interests and contract for associated professional services in order for the Recreation and Parks Department to timely complete the Big Walnut Creek Confluence Protection Public Project; and to declare an emergency. (\$614,500.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Big Walnut Creek Confluence Protection Land Acquisition - DAX Codes

Date	Ver.	Action By	Action	Result
2/5/2016	1	CITY CLERK	Attest	
2/4/2016	1	MAYOR	Signed	
2/1/2016	1	COUNCIL PRESIDENT	Signed	
2/1/2016	1	Columbus City Council	Approved	Pass

**BACKGROUND:**

The City's Recreation and Parks Department (CRPD) is engaged in the Big Walnut Creek Confluence Protection Public Project ("Public Project"). The City must acquire in good faith certain fee simple and lesser real property interests located in the vicinity of the confluence of Big Walnut Creek and the Scioto River (collectively, "Real Estate") in order for CRPD to timely complete the Public Project. Accordingly, CRPD requested the City Attorney to acquire the Real Estate and contract for associated professional services (*e.g.* surveys, title work, appraisals, *etc.*) in order for CRPD to timely complete the Public Project.

**CONTRACT COMPLIANCE:**

Not applicable.

**FISCAL IMPACT:**

CRPD determined the funding for the City Attorney to acquire the Real Estate will come from CRPD's Grant Fund, Fund Number 2283.

**EMERGENCY JUSTIFICATION:**

Emergency action is requested in order for CRPD to timely complete the Public Project without unnecessary delay, which will preserve the public peace, health, property, safety, and welfare.

To authorize the City Attorney to spend funds to acquire in good faith certain fee simple title and lesser real property

interests and contract for associated professional services in order for the Recreation and Parks Department to timely complete the Big Walnut Creek Confluence Protection Public Project; and to declare an emergency. (\$614,500.00)

**WHEREAS**, the City intends to protect the waterways corridor of Big Walnut Creek by allowing the Recreation and Parks Department (CRPD) to engage in the Big Walnut Creek Confluence Protection Public Project (*i.e.* Public Project);

**WHEREAS**, the City intends for the City Attorney to acquire in good faith and accept the necessary fee simple title and lesser property interests located in the vicinity of the confluence of Big Walnut Creek and the Scioto River (*i.e.* Real Estate) in order for CRPD to timely complete the Public Project;

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

**WHEREAS**, an emergency exists in the City's usual daily operations in that it is immediately necessary to authorize the City Attorney to acquire the Real Estate and contract for associated professional services so that CRPD may timely complete the Public Project without unnecessary 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, OHIO:**

**SECTION 1.** The City Attorney is authorized acquire in good faith certain fee simple title and lesser real property interests (*i.e.* Real Estate) in order for the Recreation and Parks Department (CRPD) to timely complete the Big Walnut Creek Confluence Protection Public Project (*i.e.* Public Project).

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

**SECTION 3.** In order to exercise the authority described in Sections One (1) and Two (2) of this ordinance, the City Attorney is authorized to spend up to Six Hundred-fourteen, Five Hundred, and 00/100 U.S. Dollars (\$614,500.00), or as much as may be necessary from CRPD's Grant Fund, Fund Number 2283.

**SECTION 4.** 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 5.** 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 6.** The City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

**SECTION 7.** 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 8.** For the reasons stated in the preamble of this ordinance, which are fully incorporated as if rewritten, this ordinance is declared to be an emergency measure and is required take effect and be in force from and after its passage and approval by the Mayor or ten (10) days after its passage if the Mayor neither approves nor vetoes this ordinance.