



## Legislation Details (With Text)

**File #:** 1074-2015      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 4/14/2015      **In control:** Recreation & Parks Committee

**On agenda:** 5/4/2015      **Final action:**

**Title:** To authorize the City Attorney to spend funds to acquire certain fee simple title and lesser real property interests and contract for associated professional services in order for the Recreation and Parks Department to complete the Clover Groff Stream Restoration Phase 3 (PID 510025-100027) Public Project; and to authorize the Director of the Recreation and Parks Department to execute and acknowledge any associated environmental covenant instrument(s), as approved in advance by the City Attorney; and to declare an emergency. (\$30,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
5/6/2015	1	CITY CLERK	Attest	
5/5/2015	1	MAYOR	Signed	
5/4/2015	1	COUNCIL PRESIDENT	Signed	
5/4/2015	1	Columbus City Council	Approved	Pass

**BACKGROUND :**

On behalf of the City, the Columbus Recreation and Parks Department (CRPD) is engaged in the Clover Groff Stream Restoration Phase 3 (PID 510025-100027) Public Project (“Public Project”). However, in order to complete the Public Project the City is required to acquire certain fee simple and lesser real property interests located in the vicinity of 191 Alton Road, Galloway, Ohio 43119 (collectively, “Real Estate”). Additionally, the City may be required to execute and acknowledge certain environmental covenant instrument(s) necessary to acquire the Real Estate or in order to complete the Public Project. Accordingly, this ordinance authorizes (i) the City Attorney to spend funds to acquire the Real Estate and contract for associated professional services (*e.g.* surveys, title work, appraisals, *etc.*) in order for CRPD to complete the Public Project; and (ii) the director of CRPD to execute and acknowledge any type of environmental covenant instrument(s), as approved in advance by the City Attorney, necessary to acquire the Real Estate or in order to 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 the CRPD Permanent Improvement Fund, Fund Number 747.

**EMERGENCY JUSTIFICATION** : Emergency action is requested in order for CRPD to 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 certain fee simple title and lesser real property interests and

contract for associated professional services in order for the Recreation and Parks Department to complete the Clover Groff Stream Restoration Phase 3 (PID 510025-100027) Public Project; and to authorize the Director of the Recreation and Parks Department to execute and acknowledge any associated environmental covenant instrument(s), as approved in advance by the City Attorney; and to declare an emergency. (\$30,000.00)

**WHEREAS** , it is in the City’s best interest to acquire certain fee simple title and lesser real property interests (*i.e.* Real Estate) in order for the Recreation and Parks Department to complete the Clover Groff Stream Restoration Phase 3 (PID 510025-100027) Public Project (*i.e.* Public Project);

**WHEREAS** , it is in the City’s best interest for the City Attorney to spend funds to acquire the Real Estate;

**WHEREAS** , it is in the City’s best interest for the City Attorney to spend funds to contract for professional services associated with the acquisition of the Real Estate (*e.g.* surveys, title work, appraisals, *etc.*);

**WHEREAS** , it is in the City’s best interest to execute and acknowledge any environmental covenant instrument(s), as approved in advance by the City Attorney, necessary to acquire the Real Estate or in order to complete the Public Project;

**WHEREAS** , an emergency exists in the usual daily operation of the Department of Recreation and Parks in that it is immediately necessary to acquire the Real Estate, contract for associated professional services, and execute and acknowledge any environmental covenant instrument(s) in order for the department to 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 certain fee simple title and lesser real property interests (*i.e.* Real Estate) in order for the Columbus Recreation and Parks Department (CRPD) to complete the Clover Groff Stream Restoration Phase 3 (PID 510025-100027) 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 identified in Sections One (1) and Two (2) of this ordinance, the City Attorney is authorized to spend up to Thirty Thousand and 00/100 U.S. Dollars (\$30,000.00) for the Public Project from CRPD’s Permanent Improvement Fund, Fund Number 747, in the following manner:

Div. 51-01 | Fund 747 | Object Level Three 6601 | 510927 | 510025-100027 | Westland Planning Area | \$30,000.00

**SECTION 4.** The Director of the Recreation and Parks Department is authorized to execute and acknowledge any environmental covenant instrument(s), as approved in advance by the City Attorney, necessary to acquire the Real Estate or in order to complete the Public Project.

**SECTION 5.** 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.** 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 7.** The City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

**SECTION 8.** 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.** For the reasons stated in the preamble of this ordinance, which are fully incorporated into this ordinance, 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.