



## Legislation Details (With Text)

**File #:** 2116-2013      **Version:** 1

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

**File created:** 8/29/2013      **In control:** Recreation & Parks Committee

**On agenda:** 9/16/2013      **Final action:** 9/19/2013

**Title:** To authorize and direct the Director of Recreation and Parks to accept a non-exclusive easement for public access from the Columbus Museum of Art; to authorize the Director of Recreation and Parks to enter into a grant agreement with the Columbus Museum of Art; to authorize the expenditure of \$800,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$800,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By             | Action   | Result |
|-----------|------|-----------------------|----------|--------|
| 9/19/2013 | 1    | ACTING CITY CLERK     | Attest   |        |
| 9/18/2013 | 1    | MAYOR                 | Signed   |        |
| 9/16/2013 | 1    | COUNCIL PRESIDENT     | Signed   |        |
| 9/16/2013 | 1    | Columbus City Council | Approved | Pass   |

### Explanation

#### BACKGROUND:

This ordinance will authorize the Director of Recreation and Parks to enter into a grant agreement with the Columbus Museum of Art for the administration of the construction of improvements to the west garden of the Museum (the "Project Area") in the amount of \$800,000.00. This ordinance also authorizes the Director of Recreation and Parks to accept the grant of a non-exclusive easement by the Columbus Museum of Art over the proposed Project Area which is necessary for the construction of the improvements and their use by the public after construction. The easement will provide that the Museum maintain the improvements at its sole cost and expense and that the City has the right but not the obligation to maintain the improvements.

As part of the ongoing renovation and expansion of the Columbus Museum of Art, the master plan proposes a new west entrance and garden adjacent to the Museum's new Center for Creativity. The proposed public garden will be a gateway entry experience to the Museum that includes an ADA accessible walkway from the street to the entrance. The garden will also provide a safe drop-off point for school and group tours and will be the sole ADA accessible entrance to the Museum during construction involving the 1970's addition and the new wing. The site will be free and accessible to the general public.

The Contract Compliance Number for the Columbus Museum of Art is 31-4379447.

Emergency action is necessary to allow the Columbus Museum of Art to begin work as soon as possible as plans for the garden is moving forward.

#### FISCAL IMPACT:

The expenditure of \$800,000.00 is contingent upon August 20, 2013 bond sale; voted Recreation and Parks Bond Fund.

To authorize and direct the Director of Recreation and Parks to accept a non-exclusive easement for public access from the Columbus Museum of Art; to authorize the Director of Recreation and Parks to enter into a grant agreement with the Columbus Museum of Art; to authorize the expenditure of \$800,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$800,000.00)

**WHEREAS**, it is necessary to accept a grant by the Columbus Museum of Art of a non-exclusive, public access easement covering the Project Area to allow for the construction of improvements and to allow access to the public after construction ; and

**WHEREAS**, it is necessary to enter into a grant agreement with the Columbus Museum of Art for the construction of improvements to the Project Area; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to accept said easement and enter into said agreement for the preservation of public health, peace, property and safety; **NOW, THEREFORE**

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

**SECTION 1.** That the Director of Recreation and Parks be and he hereby is authorized to accept the grant of a non-exclusive public access easement from the Columbus Museum of Art, in such form as approved by the Real Estate Division of the Department of Law, over the proposed Project Area.

**SECTION 2.** That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into a grant agreement with the Columbus Museum of Art for the construction of improvements to the Project Area.

**SECTION 3.** That the expenditure of \$800,000.00 or so much thereof as may be necessary, be and is hereby authorized from the voted Recreation and Parks Bond Fund 702, Dept. 51-01 as follows:

**Project No.** 510717-100007 Columbus Art Museum, **Object Level 3** #6621, **OCA Code** 727177

**SECTION 4.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

**SECTION 5.** That the monies in the foregoing Section 3 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or monies paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 6.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all agreements, contracts, agreement modifications or contract modifications associated with this ordinance.

**SECTION 7.** 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.