



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 0887-2012, **Version:** 1

The City of Columbus, Department of the Recreation and Parks is engaged in protecting the Darby Creek watershed to preserve high quality habitat and green space, Category 3 wetlands, and significant forested areas identified as the Galloway Hellbranch Restoration Project. The following legislation is to appropriate \$1,256,520.00 as identified in Ordinance 0071-2012 and to authorize the City Attorney to acquire fee simple title and lesser interests in an approximate 120.5 +/- acre tract of real property near Galloway Road and Alkire Road owned by Braumiller Development, LLC, an Ohio limited liability company, to contract for professional services, and to appropriate and authorize the expenditure of said monies for payment of acquisition costs in connection with the Galloway Hellbranch Restoration Project.

Fiscal Impact: The Department of Recreation and Parks, has determined that the funding necessary for this project will come from the Recreation and Parks Voted Bond Fund and the Recreation and Parks Grant Fund

Emergency Justification: Emergency action is requested to allow for the immediate acquisition of the property necessary to utilize Ohio Public Works Commission grant funds, thereby preserving high quality habitat and green space, Category 3 wetlands, and significant forested areas without delay for the public health, peace, property and safety.

To authorize the City Attorney to acquire fee simple title and lesser interests in an approximate 120.5 +/- acre tract of real property near Galloway Road and Alkire Road owned by Braumiller Development, LLC, an Ohio limited liability company, to contract for professional services, and to appropriate and authorize the expenditure of \$1,256,520.00 from the Department of the Recreation and Parks Grant Fund; to authorize the expenditure of \$441,480 from the Recreation and parks Voted Bond Fund for costs in connection with the Department of the Recreation and Parks; and to declare an emergency. (\$1,698,000.00).

WHEREAS, The City of Columbus, Department of the Recreation and Parks, is engaged in protecting the Darby Creek watershed to preserve high quality habitat and green space, Category 3 wetlands, and significant forested areas identified as the Galloway Hellbranch Restoration Project; and

WHEREAS, the following legislation is to appropriate \$1,256,520.00 as identified in Ordinance 0071-2012 and to authorize the City Attorney to acquire fee simple title and lesser interests in an approximate 120.5 +/- acre tract of real property near Galloway Road and Alkire Road, owned by Braumiller Development, LLC, an Ohio limited liability company, to contract for professional services; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Recreation and Parks, in that it is immediately necessary to authorize the City Attorney to acquire fee simple title and lesser interests in and to an approximate 120.5 +/- acre tract of real property near Galloway Road and Alkire Road, owned by Braumiller Development, LLC, an Ohio limited liability company, and to contract for those professional services necessary to Galloway Hellbranch Restoration Project for the preservation of the public health, peace, property and safety; **NOW, THEREFORE**

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

Section 1. That the City Attorney be, and hereby is, authorized to acquire fee simple title and lesser interests in and to an approximate 120.5 +/- acre tract of real property near Galloway Road and Alkire Road owned by Braumiller Development, LLC, an Ohio limited liability company, and to contract for those professional services necessary to the Galloway Hellbranch Restoration Project, Grant 511203.

Section 2. That from the unappropriated monies in the Recreation and Parks Grant Fund No. 286, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2012, the sum of \$-\$1,698,000 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

GRANT TITLE: Galloway Hellbranch Restoration; GRANT NO.: 511203; OCA CODE 511203; OBJECT LEVEL 3: 6601; AMOUNT \$\$1,698,000

Section 3. That the appropriation of \$441,480 be transferred as follow:

From:

\$400,000.00 Project 510112-100016 (Galloway) , OCA#711216, Obj Level 3# 6601
\$41,480.00 Project 510112-100009 (Land Acq) , OCA#721209, Obj Level 3# 6601

To:

\$400,000.00 Project 510112-100016 (Galloway) , OCA#711216, Obj Level 3# 5501
\$41,480.00 Project 510112-100009 (Land Acq) , OCA#721209, Obj Level 3# 5501

Section 4. That the amount of \$441,480 be transferred as follow:

From:

\$400,000.00 Project 510112-100016 (Galloway) , OCA#711216, Obj Level 3# 5501
\$41,480.00 Project 510112-100009 (Land Acq) , OCA#721209, Obj Level 3# 5501

To:

\$441,480 Grant 511203 (Galloway Hellbranch) OCA #511203, Obj Level 3 #0886

Section 5. That the expenditure of \$1,698,000.00, or so much thereof as may be necessary for the Galloway Hellbranch Restoration Project, from the Recreation and Parks Grant Fund No. 286 Fund, OCA Code 511203, Object Level Three, 6601, for the appropriation of said real property interests determined to be necessary for the stated public purpose is hereby authorized.

Section 6. At the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

Section 7. Funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

Section 8. 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 its passage if the Mayor neither approves nor vetoes the same.