



## Legislation Text

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**File #:** 0226-2014, **Version:** 1

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In 2004, the City, the Columbus Zoological Park Association ("Association") and the Board of County Commissioners of Franklin County, Ohio ("the Board of County Commissioners") made an agreement for the use by the Association of funds from the ten-year tax levy that the electors of Franklin County, Ohio, adopted at the general election held on November 2, 2004. The Association has requested the Board of County Commissioners submit a proposed tax levy for the provision and maintenance of the Columbus Zoo facilities to the electors of Franklin County at the primary election to be held on May 6, 2014. This legislation would authorize the Director of Recreation and Parks to execute a new agreement with the Association and Board of County Commissioners regarding the use of the levy funds.

**Fiscal Impact:** \$0

**Emergency Justification:** to maintain the provision and maintenance of services and facilities of the Columbus Zoological Park Association.

To authorize and direct the Director of Recreation and Parks, on behalf of the City of Columbus, to execute an agreement with the Columbus Zoological Park Association and the Board of County Commissioners of Franklin County for the provision and maintenance of zoological park services and facilities of the Columbus Zoological Park Association; and to declare an emergency. (\$0)

**WHEREAS**, by the Agreement and Declaration of Trust dated May 5, 1980, authorized by Ordinance No. 1086-80, passed May 5, 1980, as modified by the agreement dated February 19, 1981, authorized by Ordinance No. 344-81, passed February 9, 1981, by the agreement dated January 5, 1982, authorized by Ordinance No. 2699-81, passed December 14, 1981, by the agreement dated July 29, 1983, authorized by Ordinance No. 1400-83, passed July 11, 1983, by the agreement dated March 14, 1990, authorized by Ordinance No. 553-90, passed February 26, 1990, by the agreement dated October 31, 1994, authorized by Ordinance No. 2279-94, passed October 24, 1994, by the agreement dated August 27, 2004, authorized by Ordinance No. 1378-2004, passed July 19, 2004, and by the Amended and Restated Lease Agreement, entered into July 22, 2003, the City of Columbus, Ohio ("the City") has transferred responsibility for the provision and maintenance of zoological park services and facilities at The Columbus Municipal Zoo ("the Columbus Zoo") to the Columbus Zoological Park Association ("the Association"); and

**WHEREAS**, by the terms of the aforesaid agreements as modified, the Association has accepted and will accept responsibility for the provision and maintenance of zoological park services and facilities at the Columbus Zoo; and

**WHEREAS**, the Amended and Restated Lease Agreement, entered into as of June 22, 2003, by and between the Board of County Commissioners, the City and the Association, provides for the Association to use and occupy the Columbus Zoo for zoological, conservation, educational, research, recreational and other related purposes through December 31, 2037; and

**WHEREAS**, in connection with a tax levy proposal to be submitted to the electors of Franklin County, Ohio, at the

primary election to be held on May 6, 2014, the Board of County Commissioners, pursuant to the provisions of Section 307.76 of the Ohio Revised Code, again desires to furnish financial assistance to the Association for the provision and maintenance of zoological park services and facilities at the Columbus Zoo to residents of Franklin County, Ohio, and again desires to make an agreement with the Association and the City in regard to use of such financial assistance for such purposes by the Association; and

**WHEREAS**, the City desires to make such an agreement with the Board of County Commissioners and the Association; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into such an agreement with the Board of County Commissioners and the Association for the preservation of public health, peace and safety; and,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBUS:**

**Section 1.** That the Director of Recreation and Parks of the City of Columbus, Ohio, be and he is hereby authorized and directed to enter into an agreement with the Board of County Commissioners and the Association for the provision and maintenance of zoological park services and facilities of the Columbus Zoological Park Association.

**Section 2.** The agreement shall become operative upon: (a) submission by the Board of County Commissioners of a proposed tax levy for the provision and maintenance of zoological park services and facilities of the Columbus Zoological Park Association (the "Zoo Levy") to the electors of Franklin County, Ohio, at the primary election to be held on May 6, 2014; and (b) passage of the Zoo Levy by the electors of Franklin County, Ohio, at the primary election to be held on May 6, 2014.

**Section 3.** That, for the reasons stated in the preamble, 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 ten days after passage if the Mayor neither approves nor vetoes the same.