



## Legislation Details (With Text)

**File #:** 1880-2014      **Version:** 1

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

**File created:** 8/12/2014      **In control:** Recreation & Parks Committee

**On agenda:** 9/29/2014      **Final action:** 10/1/2014

**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 for the Columbus Recreation and Parks Department's D Big Walnut Creek - Refugee Preservation Public Project; and to declare an emergency. (\$247,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
10/1/2014	1	CITY CLERK	Attest	
9/30/2014	1	MAYOR	Signed	
9/29/2014	1	COUNCIL PRESIDENT	Signed	
9/29/2014	1	Columbus City Council	Approved	Pass

**BACKGROUND:** The City's Columbus Recreation and Parks Department ("CRPD") is undertaking the Big Walnut Creek - Refugee Preservation Public Project in order to preserve a critical stand of forested floodplain along Big Walnut Creek (the "Public Project"). Furthermore, the City must acquire certain fee simple title and lesser real property interests in the vicinity of Nafzger Park and Big Walnut Creek along Noe-Bixby Road, Columbus, Ohio 43232 (collectively, the "Real Estate") in order to complete the Public Project. The City previously passed **Ordinance Number 1606-2014 on July 14<sup>th</sup>, 2014**, which authorized the CRPD director to enter into a grant agreement with the Ohio Public Works Commission providing for sufficient funding for the City to acquire the Real Estate. Accordingly, this ordinance authorizes the City Attorney to spend City funds to acquire the Real Estate and contract for associated professional services (*e.g.* surveys, title work, appraisals, *etc.*) in order to complete the Public Project.

**FISCAL IMPACT:** The City determined the Public Project's funding will come from the Recreation and Parks Grant Fund, Fund Number 286.

**EMERGENCY JUSTIFICATION:** Emergency action is requested to allow for the City's acquisition of the Real Estate in order 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 for the Columbus Recreation and Parks Department's D Big Walnut Creek - Refugee Preservation Public Project; and to declare an emergency. (\$247,000.00)

**WHEREAS**, it is in the City's best interest to acquire certain fee simple title and lesser real property interests in the vicinity of Nafzger Park and Big Walnut Creek along Noe-Bixby Road, Columbus, Ohio 43232 (*i.e.* Real Estate) in order

to complete Columbus Recreation and Parks Department's Big Walnut Creek - Refugee Preservation Public Project (*i.e.* Public Project);

**WHEREAS**, it is in the City's best interest to authorize the City Attorney to acquire the Real Estate;

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

**WHEREAS**, an emergency exists in the usual daily operation of the City, in that it is immediately necessary to acquire the Real Estate and contract for associated professional services to prevent delays in completing the Public Project, 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.** That the City Attorney is authorized acquire certain fee simple title and lesser real property interests in the vicinity of East Broad Street and Waggoner Road, Columbus, Ohio 43004 (*i.e.* Real Estate) in order to complete Columbus Recreation and Parks Department's Big Walnut Creek - Refugee Preservation Public Project (*i.e.* Public Project).

**SECTION 2.** That 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.** That in order to exercise the authority of Sections One (1) and Two (2) of this ordinance, the City Attorney is authorized to spend up to Two Hundred Forty-seven Thousand, and 00/100 U.S. Dollars (\$247,000.00) from the Recreation and Parks Grant Fund, Fund Number 286, as follows:

<u>FUND №</u>	<u>GRANT №</u>	<u>Grant NAME</u>	<u>OBJ. Lvl.</u>	<u>OCA CODE</u>	<u>AMOUNT</u>
286	511417	Big Walnut Creek - Refugee Preservation	6601	511417	\$247,000.00

**SECTION 4.** That the funds necessary to carry out the purpose of this ordinance are deemed appropriated, and the City Auditor is directed to establish any appropriate accounting codes.

**SECTION 5.** That 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.** That the City Auditor is authorized to establish any proper and appropriate project accounting numbers.

**SECTION 7.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

**SECTION 8.** That 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.