



## Legislation Details (With Text)

**File #:** 2904-2015      **Version:** 1

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

**File created:** 11/10/2015      **In control:** Recreation & Parks Committee

**On agenda:** 11/23/2015      **Final action:** 11/24/2015

**Title:** To authorize the City Attorney to spend additional funds to acquire in good faith certain fee simple title and lesser real property interests and contract for associated professional services in order for the Recreation and Parks Department to timely complete the Clover Groff Stream Restoration Phase 3 (PID 510025-100027) Public Improvement Project; to amend the 2015 Recreation and Parks CIB, to appropriate \$602,680 within the Recreation and Parks Bond Fund, and to declare an emergency. (\$265,000.00)

### Sponsors:

### Indexes:

### Code sections:

### Attachments:

Date	Ver.	Action By	Action	Result
11/24/2015	1	CITY CLERK	Attest	
11/24/2015	1	MAYOR	Signed	
11/23/2015	1	COUNCIL PRESIDENT	Signed	
11/23/2015	1	Columbus City Council	Approved	Pass

### BACKGROUND:

The Recreation and Parks Department (CRPD) is engaged in the Clover Groff Stream Restoration Phase 3 (PID 510025-100027) Public Improvement Project ("Public Project"). The City must acquire in good faith certain fee simple and lesser real property interests located in the vicinity of 191 Alton Road, Galloway, Ohio 43119 (collectively, "Real Estate") in order for CRPD to timely complete the Public Project. Accordingly, the City previously passed Ordinance 1074-2015 authorizing the City Attorney to spend funds to acquire the Real Estate and contract for associated professional services (e.g. surveys, title work, appraisals, etc.). However, additional funds are required in order to acquire the Real Estate.

### CONTRACT COMPLIANCE:

Not applicable.

### FISCAL IMPACT:

CRPD determined the funding for the City Attorney to acquire the Real Estate will come from CRPD's Voted Bond Fund, Fund Number 702.

### EMERGENCY JUSTIFICATION:

Emergency action is requested in order for CRPD to timely 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 additional funds to acquire in good faith certain fee simple title and lesser real property interests and contract for associated professional services in order for the Recreation and Parks Department to timely complete the Clover Groff Stream Restoration Phase 3 (PID 510025-100027) Public Improvement Project; to amend the 2015 Recreation and Parks CIB, to appropriate \$602,680 within the Recreation and Parks Bond Fund, and to declare an emergency. (\$265,000.00)

**WHEREAS**, the City intends to improve the waterways corridor of Clover Groff Stream by allowing the Recreation and Parks Department (CRPD) to engage in the Clover Groff Stream Restoration Phase 3 (PID 510025-100027) Public Improvement Project (*i.e.* Public Project);

**WHEREAS**, the City intends for the City Attorney to acquire in good faith and accept the necessary fee simple title and lesser property interests located in the vicinity of 191 Alton Road, Galloway, Ohio 43119 (*i.e.* Real Estate) in order for CRPD to timely complete the Public Project;

**WHEREAS**, the City intends for the City Attorney to spend additional City funds to acquire in good faith the Real Estate and contract for associated professional services (*e.g.* surveys, title work, appraisals, *etc.*);

**WHEREAS**, the appropriation of \$602,680 in Voted Bond Funds must be appropriated to allow for this expenditure and future Recreation and Parks Expenditures.

**WHEREAS**, an emergency exists in the City's usual daily operations in that it is immediately necessary to authorize the City Attorney to acquire the Real Estate and contract for associated professional services so that the Recreation and Parks Department may timely 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, in good faith, certain fee simple title and lesser real property interests (*i.e.* Real Estate) in order for the Recreation and Parks Department (CRPD) to timely complete the Clover Groff Stream Restoration Phase 3 (PID 510025-100027) Public Improvement 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.** That the amount of \$602,680.00 is hereby appropriated to the Recreation and Parks Voted Bond Fund 702, as follows:

Project	OCA	Object Level 3	Amount
510112-100000 (Park Acquisition)	702112	6601	\$602,680.00

**SECTION 4.** That the 2015 Capital Improvement Budget Ordinance 0557-2015 is hereby amended as follows in order to provide sufficient budget authority for this and future legislation.

**Current:**

Cancellation of Grant 511418 and associated grant match to 510112-100000 (Park Acquisition) \$602,680 (Voted Carryover  
Fund 702; 510112-100000; Park Acquisition; \$1

**Amended to:**

Fund 702; 510112-100000; Park Acquisition; \$602,681 (Voted Carryover)

**SECTION 5.** In order to exercise the authority described in Sections One (1) and Two (2) of this ordinance, the City Attorney is authorized to spend up to Two Hundred Sixty-five Thousand and 00/100 U.S. Dollars (\$265,000.00), or as much as may be necessary from CRPD's Voted Bond Fund, Fund Number 702, in the following manner:

Div. 51-01 | Fund 702 | Object Level Three 6601| 702112 | 510112-100000 | Land Acquisition | \$265,000.00

**SECTION 6.** 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 7.** 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 8.** The City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

**SECTION 9.** 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 10.** For the reasons stated in the preamble of this ordinance, which are fully incorporated into this ordinance as if rewritten, 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.