



Legislation Details (With Text)

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File created: 7/7/2016 **In control:** Recreation & Parks Committee

On agenda: 9/12/2016 **Final action:** 9/15/2016

Title: To authorize the Director of the Recreation and Parks Department to execute and acknowledge all document(s), as approved by the City Attorney, necessary to grant Nationwide Children's Hospital, an Ohio non-profit corporation, an appurtenant non-exclusive easement below the surface of Livingston Park for future underground parking facilities; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit-A, 2. 080717 Livingston Park Master Plan

Date	Ver.	Action By	Action	Result
9/15/2016	1	CITY CLERK	Attest	
9/15/2016	1	MAYOR	Signed	
9/12/2016	1	COUNCIL PRESIDENT	Signed	
9/12/2016	1	Columbus City Council	Approved	Pass

BACKGROUND:

Nationwide Children's Hospital, an Ohio non-profit corporation ("NCH") has adopted a Long Range Master Plan (the "NCH Master Plan") for expansion of its facilities providing vital pediatric health services to residents of the City. The NCH Master Plan includes the Livingston Park Draft Master Plan, (the "LP Plan") which identifies significant improvements to Livingston Park. In exchange for NCH agreeing to complete the park improvements as contemplated in the LP Plan, agreeing to maintain portions of Livingston Park and the improvements thereon, and contributing \$250,000.00 for long term capital improvement costs associated with preserving Livingston Park, NCH has requested the City grant NCH an appurtenant non-exclusive easement below the surface of Livingston Park for NCH's future underground parking facilities.

CONTRACT COMPLIANCE:

Not applicable.

FISCAL IMPACT:

Not applicable.

EMERGENCY JUSTIFICATION:

An emergency exists in the usual daily operations of the Recreation and Parks Department in that it is immediately necessary to enter into said easement so that the NCH Master Plan funding can be allocated to the park improvements, and allow NCH to move forward with the NCH Master Plan, which will preserve the public peace, property, health, welfare and safety.

To authorize the Director of the Recreation and Parks Department to execute and acknowledge all document(s), as approved by the City Attorney, necessary to grant Nationwide Children's Hospital, an Ohio non-profit corporation, an appurtenant non-exclusive easement below the surface of Livingston Park for future underground parking facilities; and to declare an emergency. (\$0.00)

WHEREAS, Nationwide Children's Hospital, an Ohio non-profit corporation, ("NCH") has adopted a Long Range Master Plan (the "NCH Master Plan") for expansion of its facilities providing vital pediatric health services to residents of the City;

WHEREAS, the NCH Master Plan includes the Livingston Park Draft Master Plan, (the "LP Plan") which identifies significant improvements to Livingston Park;

WHEREAS, NCH agrees to complete the park improvements as contemplated in the LP Plan; to maintain portions of Livingston Park and improvements thereon; and, to contribute \$250,000.00 to a fund to be held by the Columbus Foundation for long term capital improvement costs associated with preserving Livingston Park;

WHEREAS, in exchange the City intends to grant NCH an appurtenant non-exclusive easement below the surface of Livingston Park for future underground parking facilities;

WHEREAS, an emergency exists in the usual daily operations of the Recreation and Parks Department in that it is immediately necessary to grant the easement so that the NCH Master Plan funding can be allocated to the park improvements and allow NCH to move forward with the NCH Master Plan, 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 Director of the Recreation and Parks Department (CRPD) is authorized to execute and acknowledge any document(s) necessary to grant Nationwide Children's Hospital, an Ohio non-profit corporation, an appurtenant non-exclusive easement below the surface of Livingston Park, in a form substantially the same as attached hereto as Exhibit A, which is fully incorporated for reference as if rewritten, for a future underground parking facility.

SECTION 2. The City Attorney is required to preapprove all document(s) executed by the City pursuant to this ordinance.

SECTION 3. This ordinance, for the reasons stated in the preamble of this ordinance, which are fully incorporated for reference as if rewritten, 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.