



## Legislation Details (With Text)

**File #:** 1762-2018      **Version:** 1

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

**File created:** 6/14/2018      **In control:** Recreation & Parks Committee

**On agenda:** 7/9/2018      **Final action:** 7/12/2018

**Title:** To authorize the City Attorney to spend City funds to acquire and accept in good faith certain fee simple title and lesser real estate located in the vicinity of Johnstown Road and Parkview Boulevard Columbus Ohio, 43219 and contract for associated professional services in order for CRPD to timely complete the acquisition of the property; to authorize an amendment to the Capital Improvements Budget; to authorize a transfer of cash within and expenditure from the Recreation and Parks Bond Fund; and to declare an emergency. (\$225,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Greenways - Alum Creek Trail - Johnstown Road Hire Acquire - ATTACHMENT (003)

Date	Ver.	Action By	Action	Result
7/12/2018	1	CITY CLERK	Attest	
7/11/2018	1	MAYOR	Signed	
7/9/2018	1	COUNCIL PRESIDENT	Signed	
7/9/2018	1	Columbus City Council	Approved	Pass

**BACKGROUND:** The City's Recreation and Parks Department (CRPD) is engaged in FRA-Johnstown Rd-Alum Creek Trail (PID 99828) Public Improvement Project ("Public Project"). This project will include constructing a trail connection from the Alum Creek Trail to the East Columbus/Krumm Park community. The City must acquire in good faith and accept certain fee simple title and lesser real estate located in the vicinity of Johnstown Road and Parkview Boulevard Columbus Ohio, 43219 (collectively, "Real Estate"). The City will be acquiring and paying for the real estate and ODOT will be contributing money toward the construction of the trail under PID 99828. Accordingly, CRPD requested the City Attorney to acquire the Real Estate in good faith and contract for associated professional services (e.g. surveys, title work, appraisals, etc.) in order for CRPD to timely complete the acquisition of the property.

The trail connection will include a trail to Johnstown Road, where bike lanes will be built along Johnstown Road to Cassady Avenue. A second connection will also provide a bike path from Parkview Avenue to Cassaday Avenue, along 10<sup>th</sup> Avenue, to Krumm Park. When completed the project will connect over 5,000 residents to the regional trail network.

**CONTRACT COMPLIANCE:** Not applicable.

**FISCAL IMPACT:** Two Hundred Twenty-five Thousand and 00/100 U.S. Dollars (\$225,000.00) is required and budgeted for the City Attorney to acquire the Real Estate and CRPD determined it will come from CRPD's Voted Bond Fund, Fund 7702.

**EMERGENCY JUSTIFICATION:** An emergency exists in the usual daily operation of the Recreation and Parks Department in order to meet the deadlines of the ODOT project funding.

To authorize the City Attorney to spend City funds to acquire and accept in good faith certain fee simple title and lesser real estate located in the vicinity of Johnstown Road and Parkview Boulevard Columbus Ohio, 43219 and contract for associated professional services in order for CRPD to timely complete the acquisition of the property; to authorize an amendment to the Capital Improvements Budget; to authorize a transfer of cash within and expenditure from the Recreation and Parks Bond Fund; and to declare an emergency. (\$225,000.00)

**WHEREAS**, the City intends to acquire certain fee simple title and lesser real estate to extend connections from the Alum Creek Trail to the East Columbus/Krumm Park community; and

**WHEREAS**, the City intends for the City Attorney to acquire in good faith and accept the necessary fee simple title and lesser real estate located the vicinity of Johnstown Road and Parkview Boulevard Columbus Ohio, 43219 (collectively, “Real Estate”) in order for Recreation and Parks Department (CRPD) to complete the Project; and

**WHEREAS**, the City intends to spend funds from the Recreation and Parks Department’s Voted Bond Fund, Fund 7702 in order to acquire the Real Estate; and

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

**WHEREAS**, an emergency exists in the usual daily operation of the CRPD in that it is immediately necessary to acquire the Real Estate without 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:**

**SECTION 1.** That the City Attorney is authorized to acquire in good faith and accept certain fee simple title and lesser real estate located in the vicinity of Johnstown Road and Parkview Boulevard Columbus Ohio, 43219 (collectively, “Real Estate”) in order for the Recreation and Parks Department (CRPD) to timely complete the FRA-Johnstown Rd-Alum Creek Trail (PID 99828) Public Improvement Project (“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 for the project.

**SECTION 3.** That the City Attorney, in order to exercise the authority described in Sections One (1) and Two (2) of this ordinance, is authorized to spend up to, Two Hundred Twenty-five Thousand and 00/100 U.S. Dollars (\$225,000.00) or as much as may be necessary, from CRPD’s Voted Bond Fund, Fund 7702 according to the account codes in the attachment to this ordinance.

**SECTION 4.** That the transfer of \$225,000.00 or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Bond Fund 7702 per the account codes in the attachment to this ordinance.

**SECTION 5.** That the 2018 Capital Improvements Budget Ordinance 1010-2018 is hereby amended as follows in order to provide sufficient budget authority for this legislation and future projects.

**Fund / Project / Project Name / Current / Change / Amended**

**Fund 7702; P510229-100001; Bikeway Trail Safety (Voted Carryover) / \$16,796 / (\$16,796) / \$0**

**Fund 7702; P510316-100000; Greenways Projects (Voted Carryover) / \$1,829,601 / (\$208,204) / \$1,621,397**

**Fund 7702; P510303-100003; Greenways - Alum Creek Trail - Johnstown Road (Voted Carryover) / \$0 \$225,000 / \$225,000**

**SECTION 6.** That 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.** 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 real estate acquisition is complete and the monies are no longer required for the project, except that no transfer can be made from a project account by monies from more than one source.

**SECTION 8.** That the City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

**SECTION 9.** That 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.** 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 passage if the Mayor neither approves nor vetoes the same.