Legislation Details (With Text)

File #:	3505-2018 **Version:** 1		
Type:	Ordinance	**Status:**	Passed
File created:	12/12/2018	**In control:**	Recreation & Parks Committee
On agenda:	1/14/2019	**Final action:**	1/16/2019
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 the transfer of $80,000.00 between projects within the Recreation and Parks Voted Bond Fund; to amend the 2018 Capital Improvements Budget; and to declare an emergency. ($80,000.00)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Copy of Greenways - Alum Creek Trail - Johnstown Road Hire Acquire Increase - ATTACHMENT		

Date	Ver.	Action By	Action	Result
1/16/2019	1	CITY CLERK	Attest	
1/15/2019	1	MAYOR	Signed	
1/14/2019	1	COUNCIL PRESIDENT	Signed	
1/14/2019	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 be 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.

Ordinance 1762-2018, passed July 12, 2018 authorized initial acquisition funding for this project in the amount of $225,000.00 allowing the City Attorney to contract for professional service and to acquire fee simple title and lesser interests in and to real property necessary for the project. Additional expenditures are now required and an additional $80,000.00 is being requested in order to pay for the costs of the acquisitions for the project.

CONTRACT COMPLIANCE: Not applicable.

FISCAL IMPACT:

The expenditure of $225,000.00 was legislated to authorize the City Attorney to contract for professional services and to acquire fee simple title and lesser interests in and to real property in the vicinity of Johnstown Road and Parkview Boulevard in Columbus, Ohio by Ordinance 1762-2018. This ordinance will provide additional funding needed, in addition to the previously authorized amount, in the amount of $80,000.00. $80,000.00 is budgeted and available in the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of this funding increase. The aggregate

total amount authorized, including this increase, is $305,000.00.

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 the transfer of $80,000.00 between projects within the Recreation and Parks Voted Bond Fund; to amend the 2018 Capital Improvements Budget; and to declare an emergency. ($80,000.00)

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, initial acquisition funding for this project in the amount of $225,000.00 was authorized pursuant to Ordinance Number 1762-2018, passed on July 12, 2018: and

WHEREAS, this ordinance authorizes the City Attorney's Office, Real Estate Division, to spend an additional $80,000.00 or so much thereof as may be necessary to hire professional services and negotiate with property owners to acquire the various property rights necessary to complete the Johnstown Road-Alum Creek Trail public project; and

WHEREAS, it is necessary to authorize the transfer of $80,000.00 between projects within the Recreation and Parks Voted Bond Fund 7702; and

WHEREAS, it is necessary to amend the 2018 Capital Improvements Budget; and

WHEREAS, the City intends to spend funds from the Recreation and Parks Department's Voted Bond Fund 7702 in order to acquire the Real Estate; 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 in addition to the $225,000.00 authorized in Ordinance 1762-2018 passed on July 12, 2018, 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 an additional Eighty Thousand and 00/100 U.S. Dollars **(**$80,000.00) or as much as may be necessary, from CRPD's Voted Bond Fund 7702 according to the account codes in the attachment to this ordinance.

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SECTION 4. That the transfer of $80,000.00 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 (SIT Supported) / $162,288 / ($80,000) / $82,288
Fund 7702; P510303-100003; Greenways - Alum Creek Trail - Johnstown Road (SIT Supported) / $0 / $80,000 / $80,000

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 8. 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 9. 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.

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