



## Legislation Details (With Text)

**File #:** 0625-2020      **Version:** 1

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

**File created:** 3/3/2020      **In control:** Recreation & Parks Committee

**On agenda:** 5/4/2020      **Final action:** 5/7/2020

**Title:** To authorize the appropriation of \$198,626.10 from and within the Recreation and Parks Permanent Improvement Fund and Waggoner Road TIF Funds; to authorize the transfer of \$550,000.00 between projects within the Recreation and Parks Bond Fund; to authorize the transfer of \$110,000.00 between Waggoner Road TIF Funds; to amend the 2019 Capital Improvement Budget; 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 East Broad Street and Waggoner Road and contract for associated professional services in order to timely complete the acquisition of the property; to authorize the expenditure of \$800,000.00 from the Recreation and Parks Grant Fund and Voted Bond Fund, Permanent Improvement Fund, and Waggoner Road TIF Fund; and to declare an emergency. (\$800,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Dysart Run Additional Funding

Date	Ver.	Action By	Action	Result
5/7/2020	1	CITY CLERK	Attest	
5/6/2020	1	MAYOR	Signed	
5/4/2020	1	COUNCIL PRESIDENT	Signed	
5/4/2020	1	Columbus City Council	Approved	Pass

Ordinance 2334-2019 authorized the Director of Recreation and Parks to accept and appropriate a grant (\$900,000.00) and matching funds (\$300,000.00) from Ohio Public Works Commission Clean Ohio Fund to apply towards the total acquisition costs for real estate located in the vicinity of East Broad Street and Waggoner Road. This ordinance will provide the additional funds needed to complete the acquisition, authorizing the City Attorney to spend the funds to acquire in good faith certain fee simple title and lesser real estate at this location.

**Background:** In 2019, the Department applied for and received a grant for \$900,000.00 from the Clean Ohio Fund to acquire a 41.5 acre site on the Far East near East Broad and Waggoner Road. It was anticipated that the grant funds and match requirement of \$300,000 would not be sufficient for the entire acquisition cost, and a that a second piece of legislation would need to be authorized once the final costs were determined.

The Far East side neighborhoods of Columbus are one of the city's most underserved areas for parks, open spaces, and conservation lands.

Dysart Run is located on the city's far-east side, near East Broad Street and Waggoner Road. The stream is a main tributary of Blacklick Creek, and this site is one of the largest remaining forested tracts in the entire Blacklick Creek watershed. The property contains 41.5 acres and is adjacent to a Recreation and Parks natural area along a ravine of Dysart Run, bringing the total conservation area to over 50 acres. The site is listed for sale as potential development land. Acquiring the property provides significant long term preservation of water quality, urban forest, wildlife habitat, and

future development of walking paths for area residents.

**Principal Parties:**

N/A

**Emergency Justification:** The properties to be acquired with these funds are listed for sale, and the Department wishes to acquire them before they are not available. The grantor also requires a completion date of 07/31/2020.

**Benefits to the Public:** Protection of the city's high quality waterways, greenway corridors, ravines, and urban forests. The site is within a rapidly urbanizing area of the city, and preservation of key natural sites is one of the main missions of Recreation and Parks. Conservation of this site relies heavily upon outside funding assistance to achieve these benefits.

**Community Input/Issues:** The project received support from the Far East Area Commission, Friends of Blacklick Creek, and the landowner. During the past decade, residents in these communities, and the city at large, has expressed strong priority for more protected stream corridors, headwater tributaries, access to nature, walking paths, and urban forest conservation.

**Area(s) Affected:** Communities: Far East

**Master Plan Relation:** Protecting the environmental health and resilience of the city's waterways; providing long term protection corridors for walking and biking and outdoor experiences. Improved and equitable access to trails and greenways.

**Fiscal Impact:** The expenditure of \$1,200,000.00 was legislated for the acquisition costs for real estate located in the vicinity of East Broad Street and Waggoner Road by Ordinance 2334-2019. This ordinance will authorize an additional \$800,000.00, to the previously authorized amount of \$1,200,000.00. \$800,000.00 is budgeted and available from within the Recreation and Parks Voted Bond Fund 7702, Permanent Improvement Fund 7747, and Waggoner Road TIF Fund 7410 to meet the financial obligations of this acquisition. The aggregate total amount authorized, including this modification, is \$2,000,000.00.

To authorize the appropriation of \$198,626.10 from and within the Recreation and Parks Permanent Improvement Fund and Waggoner Road TIF Funds; to authorize the transfer of \$550,000.00 between projects within the Recreation and Parks Bond Fund; to authorize the transfer of \$110,000.00 between Waggoner Road TIF Funds; to amend the 2019 Capital Improvement Budget; 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 East Broad Street and Waggoner Road and contract for associated professional services in order to timely complete the acquisition of the property; to authorize the expenditure of \$800,000.00 from the Recreation and Parks Grant Fund and Voted Bond Fund, Permanent Improvement Fund, and Waggoner Road TIF Fund; and to declare an emergency. (\$800,000.00)

**WHEREAS,** it is necessary to authorize the appropriation and transfer of funds from the Waggoner Road TIF Fund 4410 to the Waggoner TIF Capital Fund 7410 to fund this project; and

**WHEREAS,** it is necessary to authorize the appropriation of \$198,626.10 in the Recreation and Parks Permanent Improvement Fund 7747 and Waggoner TIF Capital Fund 7410; and

**WHEREAS,** it is necessary to authorize the transfer of \$550,000.00 between projects within the Recreation and Parks Bond Fund 7702; and

**WHEREAS,** it is necessary to amend the 2019 Capital Improvement Budget Ordinance 1326-2019; and

**WHEREAS,** it is necessary 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 East Broad Street and Waggoner Road and contract for associated professional services in order to timely complete the acquisition of the property; and

**WHEREAS**, it is necessary to authorize the expenditure of \$800,000.00 from the Recreation and Parks Grant Fund and Voted Bond Fund, Permanent Improvement Fund, and Waggoner Road TIF Fund; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to authorize the City Attorney to acquire the properties with these funds that are listed for sale before they are no longer available, thereby preserving the public health, peace, property, safety, and welfare; **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 East Broad Street and Waggoner Road (collectively, “Real Estate”) in order for the Recreation and Parks Department (CRPD) to timely complete the acquisition of the property and the Dysart Run Protection Project. (“Public Project”).

**SECTION 2.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 3.** 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 4.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

**SECTION 5.** That the transfer of appropriation and cash in the amount of \$110,000.00, or so much thereof as may be needed, is hereby authorized between the Waggoner Road TIF Fund 4410 to the Waggoner TIF Capital Fund 7410 per the account codes in the attachment to this ordinance.

**SECTION 6.** That the appropriation of \$198,626.10 is authorized within the Recreation and Parks Permanent Improvement Fund 7747, Waggoner Road TIF Fund 4410, and Waggoner TIF Capital Fund 7410 per the accounting codes in the attachment to this ordinance.

**SECTION 7.** That the transfer of \$550,000.00 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 8.** That the 2019 Capital Improvements Budget Ordinance 1326-2019 is hereby amended as follows in order to provide sufficient budget authority for this ordinance and future projects.

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

Fund 7702 / P513000-100000; Acquisition - Misc. (SIT Supported); \$977,892 / (\$550,000) / \$427,892

Fund 7702; P510914-512000; Dysart Run Protection Grant Match (SIT Supported) / \$0 / \$550,000 / \$550,000

Fund 7747; P510758-100000; Far East - Parkland Dedication / \$0 / \$87,850 / \$87,850

**SECTION 9.** That, for the purpose stated in Section 1, the expenditure of \$800,000.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Voted Bond Fund 7702, Permanent Improvement Fund 7747, and Waggoner Road TIF Capital Fund 7410 in object class 06 Capital Outlay per the accounting codes in the

attachments to 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 ten days after passage if the Mayor neither approves nor vetoes the same.