



Legislation Text

File #: 2061-2020, **Version:** 1

Background: This ordinance is to authorize the Director of Recreation and Parks to accept additional grant funds, in the amount of \$165,000.00, and enter into a grant amendment agreement with the Ohio Public Works Commission for the Dry Run Stream Restoration Project. This ordinance will also authorize the modification of an existing contract with Environmental Remediation Contractors to perform the work this grant is intended to support.

Dry Run is one of the most heavily impacted streams in Columbus. A tributary of the Scioto River, this 7 square mile watershed flows through the city's Hilltop and Westgate communities. A central segment of the stream, near Hague Avenue, is completely contained within a 92 inch pipe. This segment runs behind two schools, a YMCA, a church, a day care facility and Westmoor Park. In 2015, the Department applied for and received grant funds to restore 1600 linear feet of Dry Run stream in the city's Hilltop Community. Ordinance 2208-2015 authorized the acceptance of these grant funds and Ordinance 2259-2016 authorized the original contract for the stream restoration work.

During the past few years, the Department has acquired the necessary stream corridor space to complete this project, completed the restoration design, and obtained federal and state permitting. The additional grant and match funds being authorized by this ordinance will be used to cover construction costs for adding the additional scope of improving and renovating the athletic fields in Westmoor Park using the excavation materials from the stream restoration work. The result will provide a fully functional floodplain, stream channel, and habitat recovery zone. The project also provides a significant educational opportunity for young people and expanded passive recreation for the Hilltop inner-city neighborhood.

Principal Parties:

Ohio Public Works Commission

65 E. State Street

Columbus, OH 43215

Jennifer Kline, 614-752-8118

Contract Compliance Number, Tax ID: 005089, 31-1334820

Expiration Date: N/A (State of Ohio Agency)

Environmental Remediation Contractor, LLC

532 Rich Street, Columbus, OH 43215

Jerod McComas, 614-721-9567

Contract Compliance Number, Tax ID: 015330, 45-2453075

Expiration Date: April 2, 2021

Emergency Justification: Emergency action is requested so that construction can start in October 2020 in order to fulfill the requirements of the Clean Ohio Grant associated with these improvements.

Benefits to the Public: Dry Run Stream is the only significant watercourse in the Hilltop and Westgate Communities. The stream is also a major tributary to the Scioto River. This restored segment lies in one of the key community centers of Hilltop, with two schools, Westmoor Park, the Hilltop YMCA, and Glenwood Church and Day Care Center immediately adjacent to the project. All of these agencies support this project. The stream has seriously degraded due to over channelization and piping. By removing this degradation, the natural habitat can return, and residents will have new access to over a quarter mile of restored stream.

Community Input/Issues: The project has received support from key stakeholders near the site, including Columbus City Schools, Central Ohio YMCA, and the Hilltop Area Commission.

Area(s) Affected: Greater Hilltop (53)

Master Plan Relation: This grant will support the Recreation and Parks Master Plan by improving the city's water quality and health, providing outdoor education opportunities for inner city neighborhoods, improving access to trails and greenways corridors, providing safe connections for nearby neighborhoods to the regional trail network, improving recreation access to streams, and protecting water quality.

Fiscal Impact: Ordinance 2208-2015 authorized the Director of Recreation and Parks to accept a grant in the amount of \$783,054.00 and enter into a grant agreement with the Ohio Public Works Commission for the Dry Run Stream Restoration Project. The original grant match amount was \$442,646.00.00 and Ordinance 2259-2016 later added an additional \$119,312.00 to the local funding for this project. This ordinance will authorize the Director of Recreation and Parks to accept a grant increase of \$165,000.00 and enter into an amendment agreement with the Ohio Public Works Commission. An additional grant match amount of \$130,764.00 is part of this increase. The aggregate total of the grant, including this amendment, is \$948,054.00. The aggregate total of the grant match is \$672,722.00, making a total of \$1,620,776.00 available for this project.

The expenditure of \$1,325,012.00 was legislated for the Dry Run Stream Restoration Project by Ordinance 2259-2016. This ordinance will provide funding that will modify the previously authorized amount by \$295,764.00, using the additional grant and matching funds noted herein. \$295,764.00 is budgeted and available from within the Recreation and Parks Grant Fund 2283 and Voted Bond Fund 7702 to meet the financial obligations of this contract modification. The aggregate total amount authorized, including this modification, is \$1,620,776.00.

To authorize and direct the Director of Recreation and Park to accept additional grant funds, in the amount of \$165,000.00, and enter into a grant amendment agreement with the Ohio Public Works Commission for the Dry Run Stream Restoration Project; to authorize and direct the Director of Recreation and Parks to modify an existing contract with Environmental Remediation Contractors for the restoration of Dry Run Stream; to authorize the appropriation of \$165,000.00 to the Recreation and Parks Grant Fund; to authorize the amendment of the 2019 Capital Improvements Budget Ordinance; to authorize the transfer of \$130,764.00 within the Recreation and Parks Voted Bond Fund; to authorize the expenditure of \$295,764.00 from the Recreation and Parks Grant Fund 2283 and Voted Bond Fund 7702; and to declare an emergency. (\$295,764.00)

WHEREAS, it is necessary to authorize and direct the Director of Recreation and Parks to accept additional grant funds, in the amount of \$165,000.00, and enter into a grant amendment agreement with the Ohio Public Works Commission for the Dry Run Stream Restoration Project; and

WHEREAS, it is necessary to authorize and direct the Director of Recreation and Parks to modify an existing contract, authorized by Ordinance 2259-2016, with Environmental Remediation Contractors for the restoration of Dry Run Stream.; and

WHEREAS, it is necessary to authorize the appropriation of \$165,000.00 to the Recreation and Parks Grant Fund 2283; and

WHEREAS, it is necessary to authorize that the 2019 Capital Improvements Budget Ordinance 1326-2019 be amended in order to provide sufficient budget authority for this legislation and future projects; and

WHEREAS, it is necessary to authorize the transfer of \$130,764.00 within the Recreation and Parks Voted Bond Fund; and

WHEREAS, it is necessary to authorize the expenditure of \$295,764.00 from the Recreation and Parks Grant Fund 2283 and Voted Bond Fund 7702; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department that it is immediately necessary to authorize the Director to accept the grant amendment and modify this contract so that construction can start in October 2020 in order to fulfill the requirements of the Clean Ohio Grant associated with these improvements, all for the preservation of public peace, property, health, welfare, and safety; **NOW, THEREFORE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Recreation and Parks be and is hereby authorized and directed to accept additional grant funds, in the amount of \$165,000.00, and enter into a grant amendment agreement with the Ohio Public Works Commission for the Dry Run Stream Restoration Project. Ordinance 2208-2015 authorized the original grant agreement.

SECTION 2. That the Director of Recreation and Parks be and is hereby authorized to modify an existing contract, authorized by Ordinance 2259-2016, with Environmental Remediation Contractors for the restoration of Dry Run Stream.

SECTION 3. 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 4. 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 5. 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 6. That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2020, the sum of \$165,000.00 is appropriated to the Recreation and Parks Grant Fund 2283 per the account codes in the attachment to this ordinance. Appropriation is effective upon receipt of executed grant amendment agreement.

SECTION 7. At the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

SECTION 8. That the transfer of \$130,764.00 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 9. 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; P512000-100000; New Development - Misc. (SIT Supported) / \$210,972 / (\$130,764) / \$80,208

Fund 7702; P510918-512000; Dry Run Stream Restoration Grant Match (SIT Supported) / \$0 / \$130,764 / \$130,764

SECTION 10. That the expenditure of \$295,764.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Grant Fund 2283 and Voted Bond Fund 7702 in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

SECTION 11. 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.