



Legislation Details (With Text)

File #: O-400-20 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 9/22/2020 **In control:** Economic Development Department
On agenda: 10/6/2020 **Final action:** 10/6/2020

Title: Authorizing the Mayor to enter into a Real Estate Purchase Agreement with the Board of Education for the Washington Local School District ("Washington Local") and to execute and deliver needed instruments for the sale and conveyance of approximately 12 acres of city-owned real property located at 1936 Northover Road, in Toledo, Lucas County, Ohio; making certain findings with respect thereto; waiving the competitive bidding and advertising provisions of TMC 187.19; and declaring an emergency.

Sponsors:**Indexes:****Code sections:**

Attachments: 1. Exhibit A, 2. Exhibit B, 3. Exhibit C

Date	Ver.	Action By	Action	Result
10/6/2020	1	City Council		
10/6/2020	1	City Council		
10/6/2020	1	City Council		

Sale of 1936 Northover Road

Department of Economic Development

B. Sehlhorst (x1692) // D. A. Johnson (x1431)

Authorizing the Mayor to enter into a Real Estate Purchase Agreement with the Board of Education for the Washington Local School District ("Washington Local") and to execute and deliver needed instruments for the sale and conveyance of approximately 12 acres of city-owned real property located at 1936 Northover Road, in Toledo, Lucas County, Ohio; making certain findings with respect thereto; waiving the competitive bidding and advertising provisions of TMC 187.19; and declaring an emergency.

SUMMARY & BACKGROUND:

The City of Toledo ("City") is the owner of certain real property known as Jackman School Park, located at 1936 Northover Road as shown in Exhibit A ("Subject Property"). The 12-acre property is maintained by the City's Parks Department as a passive greenspace without any park infrastructure. A 2020 wetland delineation report identified the majority of the site as an active wetland as shown in Exhibit B ("Wetland Delineation Report"). Therefore, the property is undevelopable in its current state.

In 2019, the Washington Local School District ("School District") launched a 10-year initiative to rebuild its facilities. The School District owns and operates Jackman Elementary School, which is located immediately adjacent to the Subject Property. By the end of 2020, the School District plans to begin demolition of the existing structure and begin construction of a new Jackman Elementary School in its place. The School District is interested in acquiring the Subject Property to establish outdoor learning areas, enhance environmental

education, create walking paths and nature trails, and build a storm water retention pond.

The School District is proposing to purchase the Subject Property for One Dollar (\$1.00).

On September 16, 2020, The Board of Education of the Washington Local School District approved Resolution No. 051 authorizing the School District to enter into the proposed Real Estate Purchase Agreement as provided in Exhibit C (“Real Estate Purchase Agreement”).

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$0
- The expenditure budget line item: N/A
- New revenue generated (operational revenue, grants, if any): \$1
- Revenue budget line item (if any): N/A
- Are funds budgeted in the current fiscal year (yes/no)? N/A
- Is this a capital project (yes/no)? No
- If yes, is it new or existing (new/existing)? N/A
- What section of the City’s Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) No
 - o Quality Community Investment (Livable City, Development) (yes/no) Yes
 - o Workplace Culture & Customer Service (yes/no) No
 - o Environment (yes/no) Yes

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Mayor is authorized to enter into a Real Estate Purchase Agreement (“Agreement”) with The Board of Education of the Washington Local School District for the sale, conveyance and development of approximately 12 acres at a sales price of One Dollar (\$1.00) for Parcel #22-03411, located at 1936 Northover Rd. as outlined on the Exhibit A, and subject to final survey determination as shall be approved by the Director of Law and under additional terms and conditions approved by the Mayor, the Director of Law and the Department of Economic Development as being in the best interests of this City, and in keeping with the findings, determinations and purposes of this Ordinance, with the execution by the Mayor of the Agreement being conclusive evidence of such approvals, and no further action relating thereto shall be required by Council.

SECTION 2. That Council finds and determines that the Real Property to be sold or otherwise disposed of pursuant to the terms of the Agreement is Real Property which is not needed by the City for any municipal purpose; that the disposition thereof to The Board of Education of the Washington Local School District in accordance with the Agreement is in the best interests of the City; that disposition of the said Real Property by negotiation pursuant to the Agreements is the appropriate method of making it available for improvement in accordance with the terms of the Agreement.

SECTION 3. That this Council approves the Agreement, including the sale of said Subject Property provided for therein, notwithstanding and as an exception to the competitive bidding and advertising provisions of Chapter 187 and other provisions of the Toledo Municipal Code.

SECTION 4. That the Mayor is authorized to execute and deliver such documents, certifications and instruments as are necessary to acquire the subject property; and the Director of Economic Development, the Director of Law, the Director of Finance, Clerk of Council and other appropriate officials of the City are

authorized to enter into, execute and deliver such other instruments, agreements, documents and certificates and to take such other lawful action as may be necessary or appropriate in order to fully implement the acquisition and to consummate the conveyance of the subject property.

SECTION 5. That the City's Real Estate Division is authorized to cause proper recording of said needed instruments with the Recorder of Lucas County, Ohio.

SECTION 6. That it is found and determined that all formal actions of Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of Council and any of its committees that result in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 Ohio Revised Code.

SECTION 7. That this Ordinance is declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. The reason for the emergency lies in the fact that the same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that this Ordinance must be immediately effective to facilitate the execution and delivery of the Agreement and conveyance of the above described real property so that the planned improvements may commence and continue immediately, to the benefit of the students and families of Jackman Elementary School and the surrounding neighborhood.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council