



Legislation Text

File #: O-316-22, **Version:** 1

Glass City Riverwalk Easements - Metroparks Toledo
Department of Economic Development
Brandon Sehlhorst (x1692)/Doug Johnson (x1431)
Revised

Authorizing the Mayor to enter into easement agreements and other needed instruments with the Metropolitan Park District of the Toledo Area with respect to certain City-owned real property and public rights-of-way adjacent to the Downtown Maumee Riverfront for purposes of the Park District's construction, operation and maintenance of the Glass City Riverwalk Project; making certain findings with respect thereto; and declaring an emergency.

SUMMARY & BACKGROUND:

The Metropolitan Park District of the Toledo Area ("Metroparks Toledo") has been awarded a \$23.6 million Better Utilizing Investments to Leverage Development ("BUILD") grant from the U.S. Department of Transportation for phase one of the Glass City Riverwalk ("Project"). The Glass City Riverwalk is a transformational project led by Metroparks Toledo that will create 300 acres of new and revitalized downtown riverfront greenspace that will be connected by five miles of multi-use trails spanning both sides of the Maumee River, from the Veterans' Glass City Skyway to the Anthony Wayne Bridge. The Riverwalk will include an improved and restored shoreline, accessible park elements, water access, expanded and improved public boat docks, lighting improvements and public gathering spaces. The Glass City Riverwalk project will completely transform the Maumee Riverfront into a key economic driver for the region once again.

The City owns certain rights-of-way, real and personal property along the Maumee Riverfront that are needed to facilitate the construction, operation and maintenance of phase one of the Glass City Riverwalk. The plans and specifications for the Project require Metroparks Toledo to obtain certain easements and related property rights from the City. The City is proposing to grant Metroparks Toledo property rights that are necessary to facility the construction of phase one of the Project. The easement area is more fully identified in Exhibit A, attached hereto and incorporated herein, and is subject to revision and finalization of legal descriptions and surveys as needed and approved by the Department of Public Utilities and Director of Law.

Additionally, Metroparks Toledo intends to make improvements to City-owned personal property as part of its plans for phase one of the Project. Additionally, the City is conveying to Metroparks Toledo the Harbor Beacon Lighthouse adjacent to Imagination Station, the gazebo in International Park and the boat docks located in front of Promenade Park, which are more fully identified in Exhibits B, C and D attached hereto and incorporated herein.

The City will receive no monetary compensation for its granting and conveyance of the property interests, considering the public purpose benefits received.

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

SECTION 1. That the Mayor is authorized to execute, deliver and enter into easement agreements and other related instruments for the installation, operation and maintenance of the Glass City Riverwalk as shall be approved by the Director of Parks and Youth Services, Director of Transportation, Director of Public Utilities and the Director of Law, across and adjacent to portions of City-owned land within Promenade Park, International Park and adjacent to the Martin Luther King Jr. Bridge as more fully identified in Exhibit A attached, subject to revision and finalization of legal descriptions and surveys as needed and approved by the Department of Public Utilities and the Director of Law. The terms of the easement agreements and related instruments shall be determined by, and subject to, the approval of the Mayor, and the Directors of Law, Public Utilities and Transportation, in keeping with the findings, determinations and purposes of this Ordinance, with the execution by the Mayor of the easement agreements and related instruments being conclusive evidence of such approvals, and no further action relating thereto shall be required by Council.

SECTION 2. That is the Mayor, Directors of Law, Finance, Clerk of Council and other appropriate officials of this city are authorized to enter into, execute, deliver such other agreements, instruments, documents and certificates and to take other lawful action as may be necessary or appropriate in order to further implement the Easement Agreements and related instruments as authorized in Section 1 and the assets identified in Exhibits B, C, D.

SECTION 3. That Council finds and determines that the real property interests granted as described herein are interests not needed for municipal purposes and the granting and conveyance of the same are in the best interests of the City considering the public and open use of the same.

SECTION 4. 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 of the Ohio Revised Code.

SECTION 5. That this ordinance is declared to be an emergency measure and shall be in force and effect after its passage. The reason for the emergency lies in the fact that this ordinance is necessary for the immediate preservation of the public peace, health, safety, and property, and for further reason that this Ordinance must be immediately effective in order to authorize the execution of the easements and to adhere to the construction, funding and operation timelines of the Project, which Project facilitates economic development, job creation, and an enhanced tax base for the City of Toledo and its residents.

Vote on emergency clause: yeas 10, nays 0.

Passed: June 21, 2022, as an emergency measure: yeas 10, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

June 27, 2022
Wade Kapszukiewicz
Mayor