



## Legislation Text

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**File #:** 0017-2022, **Version:** 1

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**BACKGROUND:** The City’s Department of Public Utilities (“DPU”) is engaged in acquiring real estate for the Shanley Drive & Maize Road Basin Project (Project No. 611726-100000) (“Public Project”). The City must acquire in good faith and accept certain fee simple and lesser real estate located in the vicinity of Shanley Drive and Maize Road (collectively, “Real Estate”) in order for DPU to complete the Public Project. Accordingly, DPU 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 DPU to timely complete the Public Project.

Planning Area is: 35 (Northland).

**CONTRACT COMPLIANCE:** Not applicable.

**FISCAL IMPACT:** This legislation authorizes a transfer within and an expenditure of up to \$60,000.00 from the Storm Sewer Bond Fund, Fund 6204; and an amendment to the 2021 Capital Improvement Budget is necessary.

**EMERGENCY JUSTIFICATION:** Emergency action is requested in order to acquire the Real Estate and allow DPU to timely complete the Public Project without unnecessary delay, which will preserve the public peace, health, property, safety and welfare.

To authorize the City Attorney to spend City funds to acquire and accept in good faith certain fee simple and lesser real estate located in the vicinity of Shanley Drive and Maize Road, and contract for associated professional services in order for the Department of Public Utilities to timely complete the acquisition of Real Estate for the Shanley Drive & Maize Road Basin Project; to authorize a transfer within and an expenditure of up to \$60,000 from the Storm Sewer Bond Fund; to authorize an amendment to the 2021 Capital Improvement Budget; and to declare an emergency (\$60,000.00)

**WHEREAS,** the City intends to improve the sewer infrastructure in the vicinity of Shanley Drive and Maize Road by allowing the Department of Public Utilities (“DPU”) to engage in the acquisition of Real Estate for the Shanley Drive & Maize Road Basin Project (Project No. 611726-100000) (“Public Project”); and

**WHEREAS,** the City intends for the City Attorney to acquire in good faith and accept the necessary fee simple and lesser real estate located in the vicinity of Shanley Drive and Maize Road (“Real Estate”) in order for DPU to complete the Public Project; and

**WHEREAS,** the City intends for the City Attorney to spend City funds to acquire the Real Estate in good faith and contract for associated professional services (*e.g.* surveys, title work, appraisals, *etc.*); and

**WHEREAS,** it is necessary for this Council to authorize a transfer within and an expenditure of up to Sixty Thousand and 00/100 U.S. Dollars (\$60,000.00) from the Storm Sewer Bond Fund, Fund 6204; and

**WHEREAS,** it is necessary to authorize an amendment to the 2021 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS,** an emergency exists in the usual daily operations of the Department of Public Utilities in that it is

immediately necessary to authorize the City Attorney to acquire the Real Estate and contract for associated professional services so that DPU may timely complete the Public Project without unnecessary 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 and lesser real estate located in the vicinity of Shanley Drive and Maize Road (“Real Estate”) in order for the Department of Public Utilities (“DPU”) to timely complete the acquisition of the Real Estate for the Shanley Drive & Maize Road Basin Project (Project No. 611726-100000) (“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 Public Project.

**SECTION 3.** That the City Attorney, in order to exercise the authority described in Sections One (1) and Two (2) of this ordinance, is hereby authorized to transfer within and expend up to Sixty Thousand and 00/100 U.S. Dollars (\$60,000.00), or as much as may be necessary, from the Storm Sewer Bond Fund, Fund 6204, and that the 2021 Capital Improvement Budget is hereby amended according to the account codes in the attachment to this ordinance.

**SECTION 4.** 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 5.** 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 Public Project that the Public Project is complete and the monies are no longer required for the Public Project, except that no transfer can be made from a project account by monies from more than one source.

**SECTION 6.** That the City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

**SECTION 7.** 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 8.** That this ordinance, for the reasons stated in the preamble, which are made a part of this ordinance and fully incorporated for reference as if rewritten, is declared to be an emergency measure and shall take effect and be in force from and after this ordinance’s adoption and approval by the Mayor or ten (10) days after its adoption if the Mayor neither approves nor vetoes this ordinance.