



Legislation Text

File #: 2323-2022, **Version:** 1

BACKGROUND: The City's Department of Public Utilities ("DPU") is engaged in acquiring real estate for the Portage Grove Sanitary Sewer Public Improvement Project (PID 650700-100000) ("Public Project"). The City previously passed Ordinance 2309-2015 authorizing the expenditure of up to \$100,000.00 for the project. During the course of the project it was determined that additional real estate will be required. The City must acquire in good faith and accept certain fee simple and lesser real estate located in the vicinity of Godown Road, Columbus, Ohio 43235 (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.

CONTRACT COMPLIANCE: Not applicable.

FISCAL IMPACT: This legislation authorizes the appropriation, transfer, and expenditure of up to \$15,000.00 from the Sanitary Permanent Improvements Fund, Fund No. 6115.

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 Godown Road, Columbus, Ohio 43235, and contract for associated professional services in order for the Department of Public Utilities to timely complete the acquisition of Real Estate for the Portage Grove Sanitary Sewer Public Improvement Project; to authorize the City Auditor to appropriate, transfer and expend up to \$15,000.00 within the Sanitary Permanent Improvements Fund; to amend the 2022 Capital Improvements Budget; and to declare an emergency. (\$15,000.00)

WHEREAS, the City intends to improve the sanitary sewer infrastructure in the vicinity of Godown Road, Columbus, Ohio 43235 by allowing the Department of Public Utilities ("DPU") to engage in the acquisition of Real Estate for the Portage Grove Sanitary Sewer Public Improvement Project (PID 650700-100000) ("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 Godown Road, Columbus, Ohio 43235 ("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 an appropriation, transfer and expenditure of up to Fifteen Thousand and 00/100 U.S. Dollars (\$15,000.00) from the Sanitary Permanent Improvements Fund, Fund 6115; and

WHEREAS, it is necessary to authorize an amendment to the 2022 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 DPU in that it is immediately necessary to acquire the Real Estate in order to prevent unnecessary delay in completing the public project, 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 Godown Road, Columbus, Ohio 43235 ("Real Estate") in order for the Department of Public Utilities ("DPU") to timely complete the acquisition of the Real Estate for the Portage Grove Sanitary Sewer Public Improvement Project (PID 650700-100000) ("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 2022 Capital Improvements Budget is hereby amended in the Sanitary Permanent Improvements Fund - Fund No. 6115, per the accounting codes in the funding attachment to this ordinance

SECTION 4. That the City Attorney, in order to exercise the authority described in Sections One (1) and Two (2) of this ordinance, is authorized to appropriate, transfer and spend up to Fifteen Thousand and 00/100 U.S. Dollars (\$15,000.00), or as much as may be necessary, from the Sanitary Permanent Improvements Fund, Fund 6115, according to the account codes in the attachment to this ordinance.

SECTION 5. 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 6. 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 7. That the City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

SECTION 8. 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 9. 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.