



## Legislation Details (With Text)

**File #:** 2432-2021      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 9/17/2021      **In control:** Public Utilities Committee

**On agenda:** 10/18/2021      **Final action:** 10/21/2021

**Title:** 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 Barnett Road from Fulton Street to Main Street, and contract for associated professional services in order for the Department of Public Utilities to timely complete the acquisition of Real Estate for the Barnett Road Stormwater System Improvements; to transfer up to \$275,000.00 within and expend up to \$300,000.00 from the Storm Sewer Bond Fund; and to amend the 2020 Capital Improvement Budget. (\$300,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2432-2021 Funding Template 611040-100000

Date	Ver.	Action By	Action	Result
10/21/2021	1	CITY CLERK	Attest	
10/20/2021	1	MAYOR	Signed	
10/18/2021	1	COUNCIL PRESIDENT	Signed	
10/18/2021	1	Columbus City Council	Approved	Pass
10/11/2021	1	Columbus City Council	Read for the First Time	

**BACKGROUND:** The City’s Department of Public Utilities (“DPU”) is engaged in acquiring real estate for the Barnett Road Stormwater System Improvements (Project No. 611040-100000) (“Public Project”). The City must acquire in good faith and accept certain fee simple and lesser real estate located in the vicinity of Barnett Road from Fulton Street to Main Street (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 transfer within of \$275,000.00 and the expenditure of up to \$300,000.00 from the Storm Sewer Bond Fund 6204. An amendment to the 2020 Capital Improvement Budget is required in order to align the authority with the expenditure.

**EMERGENCY JUSTIFICATION:** Not applicable.

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 Barnett Road from Fulton Street to Main Street, and contract for associated professional services in order for the Department of Public Utilities to timely complete the acquisition of Real Estate for the Barnett Road Stormwater System Improvements; to transfer up to \$275,000.00 within and expend up to \$300,000.00 from the Storm Sewer Bond Fund; and to amend the 2020 Capital Improvement Budget. (\$300,000.00)

**WHEREAS**, the City intends to improve the stormwater infrastructure in the vicinity of Barnett Road from Fulton Street to Main Street by allowing the Department of Public Utilities (“DPU”) to engage in the acquisition of Real Estate for the Barnett Road Stormwater System Improvements (Project No. 611040-100000) (“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 Barnett Road from Fulton Street to Main Street (“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 the transfer of up to \$275,000.00 within the Storm Sewer Bond Fund 6204; and

**WHEREAS**, it is necessary for this Council to authorize the expenditure of up to Three Hundred Thousand and 00/100 U.S. Dollars (\$300,000.00) from the Storm Sewer Bond Fund 6204; and

**WHEREAS**, it is necessary to amend the 2020 Capital Improvement Budget in order to align the authority with the transfer and expenditure; and

**WHEREAS**, it is necessary to acquire real estate in support of the Barnett Road Stormwater System Improvements (Project No. 611040-100000), for the preservation of the public health, peace, property, safety and welfare; **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 Barnett Road from Fulton Street to Main Street (“Real Estate”) in order for the Department of Public Utilities (“DPU”) to timely complete the acquisition of the Real Estate for the Barnett Road Stormwater System Improvements (Project No. 611040-100000) (“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 authorized to spend up to Three Hundred Thousand and 00/100 U.S. Dollars (\$300,000.00), or as much as may be necessary, from the Storm Sewer Bond Fund 6204, according to the account codes in the attachment to this ordinance.

**SECTION 4.** That the City Auditor is authorized to transfer within up to \$275,000.00, and expend up to \$300,000.00 from the Storm Sewer Bond Fund 6204 per the attached funding template.

**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 shall take effect and be in force from and after the earliest period allowed by law.