



Legislation Details (With Text)

File #: 0922-2016 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 3/28/2016 **In control:** Public Utilities Committee
On agenda: 4/18/2016 **Final action:** 4/21/2016

Title: To authorize the City Attorney to spend City funds to acquire and accept in good faith certain fee simple title and lesser real property interests located in the vicinity of Trabue Road, Riverside Drive, and the Scioto River, Columbus, Ohio 43204 and contract for associated professional services in order for DPU to timely complete the HCWP Sludge Disposal Line Public Improvement Project; and to declare an emergency. (\$500,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 0922-2016 Funding; 4.6.pdf

Date	Ver.	Action By	Action	Result
4/21/2016	1	CITY CLERK	Attest	
4/20/2016	1	MAYOR	Signed	
4/18/2016	1	COUNCIL PRESIDENT	Signed	
4/18/2016	1	Columbus City Council	Approved	Pass

BACKGROUND:

The City’s Department of Public Utilities (DPU) is engaged in the Hap Cremean Water Plant (HCWP) Sludge Disposal Line (PID 690510-100002) Public Improvement Project (“Public Project”). The City must acquire in good faith and accept certain fee simple title and lesser real property interests located in the vicinity of Trabue Road, Riverside Drive, and the Scioto River, Columbus, Ohio 43204 (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:

DPU determined the funding for the City Attorney to acquire the Real Estate will come from DPU’s Water GO Bond Fund Number 6006.

EMERGENCY JUSTIFICATION:

Emergency action is requested in order for the City Attorney to acquire the Real Estate in good faith so that DPU may 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 title and lesser real property interests located in the vicinity of Trabue Road, Riverside Drive, and the Scioto River, Columbus, Ohio 43204 and contract for associated professional services in order for DPU to timely complete the HCWP Sludge Disposal Line Public Improvement Project; and to declare an emergency. (\$500,000.00)

WHEREAS, the City intends to improve the water infrastructure in the vicinity of Trabue Road, Riverside Drive, and the Scioto River, Columbus, Ohio 43204 by allowing the Department of Public Utilities (DPU) to engage in the Hap Cremean Water Plant (HCWP) Sludge Disposal Line (PID 690510-100002) Public Improvement Project (*i.e.* Public Project);

WHEREAS, the City intends for the City Attorney to acquire in good faith and accept the necessary fee simple title and lesser property interests located in the vicinity of Trabue Road, Riverside Drive, and the Scioto River, Columbus, Ohio 43204 (*i.e.* Real Estate) in order for DPU to complete the Public Project;

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.*);

WHEREAS, an emergency exists in the City's usual daily operations 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, OHIO:

SECTION 1. The City Attorney is authorized to acquire in good faith and accept certain fee simple title and lesser real property interests located in the vicinity of Trabue Road, Riverside Drive, and the Scioto River, Columbus, Ohio 43204 (*i.e.* Real Estate) in order for the Department of Public Utilities (DPU) to timely complete the Hap Cremean Water Plant (HCWP) Sludge Disposal Line (PID 690510-100002) Public Improvement Project (*i.e.* Public Project).

SECTION 2. The City Attorney is authorized to contract for professional services (*e.g.* surveys, title work, appraisals, *etc.*) associated with the Real Estate's acquisition.

SECTION 3. 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 Five Hundred Thousand and 00/100 U.S. Dollars (\$500,000.00), or as much as may be necessary from DPU's Water GO Bond Fund Number 6006 in Object Class 06, Capital Outlay, per the accounting codes in this ordinance's one (1) page attachment.

SECTION 4. 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. 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. The City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

SECTION 7. 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. This ordinance, for the reasons stated in the preamble of this ordinance, which are fully incorporated for reference as if rewritten, is declared to be an emergency measure and is required take effect and be in force from and after its passage and approval by the Mayor or ten (10) days after its passage if the Mayor neither approves nor vetoes this ordinance.