



Legislation Details (With Text)

File #: 0481-2013 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 2/13/2013 **In control:** Public Utilities Committee
On agenda: 2/25/2013 **Final action:** 2/27/2013

Title: To authorize the Director of Finance and Management to execute an agreement with the Ohio Department of Transportation to accept a deed for 4.15 acres in exchange for City owned property at 240 Parsons Avenue needed for the 1-70/I-71 Project; to grant temporary construction easements; to authorize the City Auditor to enable an interfund transfer; to amend the 2012 Capital Improvement Budget; to authorize the expenditures of \$600,000.00 from Water Bond Works Enlargement Voted Bonds Fund No. 606 to the General Permanent Improvement Fund; to authorize the expenditure of \$600,000.00 from the General Permanent Improvement Fund 748; to dedicate and name portions of City owned property as Parsons Avenue and East Main Street and to declare an emergency. (\$600,000.00).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A, 2. Exhibit B, 3. Exhibit B, 4. Exhibit C

Date	Ver.	Action By	Action	Result
2/27/2013	1	CITY CLERK	Attest	
2/27/2013	1	MAYOR	Signed	
2/25/2013	1	COUNCIL PRESIDENT	Signed	
2/25/2013	1	Columbus City Council	Approved	Pass

Background: In order to bring the Dublin Road Water Plant (DRWP) into compliance with Ohio EPA regulations, increase capacity, and improve operational reliability, the Department of Public Utilities (DPU) will need to complete five sequential construction projects. The first of these construction projects is the Dublin Road Water Plant Treatment Capacity Increase Project (#690428-100002) which necessitates construction of additional parking within the flood plain and requires retention of storm water run-off. In order to economically meet floodplain regulations, compensatory storage must be obtained in the floodplain. Acquisition of an additional 4.15 acres of land by March 13, 2013 will allow DPU to avoid the costly construction of a below ground storm water retention system and may facilitate the design and location of future site improvements and security. The necessary additional acreage within the floodplain is available from ODOT and is located adjacent to the front property line of DRWP.

As part of ODOT's 1-70/71 Columbus Crossroads Project, a portion of the City's property at 240 Parsons Avenue needs to be converted to public right of way. ODOT also needs temporary construction easements on the property. The construction will result in the destruction of some improvements which will not be replaced by ODOT.

The Department of Finance and Management, Real Estate Management Office, and the City Attorney's Real Estate Division have negotiated an agreement with ODOT to transfer the required 4.15 acres of ODOT property (valued in a range of up to \$742,000) in exchange for the compensation due the City for the land and improvements at 240 Parsons Avenue which are valued at \$600,000.00. Although no money will be exchanged between ODOT and the City in order to properly account for funding of the exchange, it is necessary that the Division of Water transfer \$600,000.00 from Capital Improvement Project #690428-100002 to the City's General Permanent Improvement Fund as payment for the 4.15 acres.

The transfer will be used to restore the Health Department property after completion of the ODOT project.

This ordinance authorizes the Finance and Management Director to execute those documents necessary to acquire and accept the 4.15 acres from ODOT and to grant temporary easements for construction to ODOT for the I-70/I-71 Columbus Crossroads Project; dedicates portions of City property as right of way for Parsons Avenue and Main Street in accordance with ODOT's plans; authorizes the transfer of funds from the Water Works Enlargement Voted Bonds Fund, Capital Improvement Project 690428-100002 to 240 Parsons Avenue Improvements Project #748460; and authorizes expenditures from the 240 Avenue Improvements Project of \$600,000.00 for restoration of the property.

Fiscal Impact: This ordinance authorizes the transfer of \$600,000.00 from the Water Works Enlargement Voted Bonds Fund, Capital Improvement Project #690428-100002 in Water Bond Fund 606 to the General Permanent Improvement Fund and appropriates and authorizes the expenditure of the \$600,000.00 for the 240 Parsons Avenue Improvement Project #748460-100000.

Emergency Action: Emergency action is requested to allow acquisition of the 4.15 acres of property from ODOT by March 13, 2013 in order to avoid significant increased costs to the DRWP Treatment Capacity Increase Project.

To authorize the Director of Finance and Management to execute an agreement with the Ohio Department of Transportation to accept a deed for 4.15 acres in exchange for City owned property at 240 Parsons Avenue needed for the I-70/I-71 Project; to grant temporary construction easements; to authorize the City Auditor to enable an interfund transfer; to amend the 2012 Capital Improvement Budget; to authorize the expenditures of \$600,000.00 from Water Bond Works Enlargement Voted Bonds Fund No. 606 to the General Permanent Improvement Fund; to authorize the expenditure of \$600,000.00 from the General Permanent Improvement Fund 748; to dedicate and name portions of City owned property as Parsons Avenue and East Main Street and to declare an emergency. (\$600,000.00).

WHEREAS, the Department of Public Utilities is engaged in a construction project known as Dublin Road Water Plant Treatment Capacity Increase Project (#690428-100002) that is that first of five consecutive construction projects required to bring the Dublin Road Water Plant (DRWP) into compliance with Ohio EPA regulations, increase capacity, and improve operational reliability, and

WHEREAS, this project necessitates construction of additional parking within the flood plain and requires retention of storm water run-off, in compliance with floodplain regulations and for compensatory story storage to be obtained in the floodplain, and it is necessary to acquire from ODOT 4.15 along Dublin Road for use by the Department of Public Utilities for the Dublin Road Water Plant Treatment Capacity Increase Project (#690428-100002); and

WHEREAS, the Ohio Department of Transportation ("ODOT") needs a portion of the City's property at 240 Parsons Avenue as described in the attached legal descriptions for its I-70/I-71 Columbus Crossroads Project, and

WHEREAS, the values of ODOT's property on Dublin Road and the portion of the City's property at 240 Parsons are similar in value; and

WHEREAS, an exchange of properties are in the best interest of the City and ODOT; and

WHEREAS, to compensate for the conversion and transfer of property at 240 Parsons Avenue as requested by ODOT, it is necessary for the Division of Water to transfer \$600,000.00 to the General Improvement Fund; and

WHEREAS, it is necessary to amend the 2012 Capital Improvement Budget authorized by ordinance 0368-2012 to account for the transfer of cash between projects within the Water Works Enlargement Bond Fund and the General Permanent Improvement Fund;

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

immediately necessary to authorize the Finance and Management Director to execute an agreement with ODOT to accept the 4.15 acres from ODOT on behalf of the City for use by the Department of Public Utilities for the Dublin Road Water Plant Treatment Capacity Increase Project, to agree to dedicate property in the name of the City for right-of-way purposes and to grant temporary easements for construction of ODOT's I-70/I-71 Columbus Crossroads Project in order to ensure that City operations continue uninterrupted, thereby immediately preserving 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 Finance and Management Director be and is hereby authorized to execute an agreement with Ohio Department of Transportation to accept the 4.15 acres from ODOT on behalf of the City for the use of the Department of Public Utilities for the Dublin Road Water Plant Treatment Capacity Increase Project in exchange for the dedication of City owned property at 240 Parsons Avenue as public right-of-way and the grant of temporary construction easements; and

SECTION 2. That the City Auditor is hereby authorized to enable an interfund transfer of up to \$600,000.00 by moving appropriation as follows:

From:

Fund 606 / Div 6009/ Project No. 690428-100002 / Project Name:
DRWP Capacity Increase - Sludge P.S. / OCA 664282 / OL3 6600

To:

Fund 606/ Div 6009 / Project No. 690428-100002 Project Name: DRWP Capacity Increase - Sludge P.S. / OCA 664282/ OL3 5501

SECTION 3. That the City Auditor is hereby authorized to transfer up to \$600,000 between funds as follows:

From:

Fund 606 / Div 6009 / Project No. 690428-100002 / Project Name: DRWP Capacity Increase - Sludge P.S. / OCA 664282 / OL3 5501

To:

Fund 748 General Permanent Improvement Div 4550 / Project No. 748460-100000/ Project Name: 240 Parsons Improvements / OCA 748460/ OL3 0886

SECTION 4. That \$600,000 is appropriated as follows: Fund 748 General Permanent Improvements Div 4550 / Project No. 748460-100000/ Project Name: 240 Parsons Improvements / OCA 748460/ OL3 6621

SECTION 5. That the 2012 Capital Improvement Budget authorized by ordinance 0368-2012 be amended as follows:

Fund 748

Project Name / Project No / Current Authority / Revised Authority / Difference

240 Parsons Improvements / 748460-100000 / \$0 / \$600,000 / +\$600,000

SECTION 6. That the Finance and Management Director be and is hereby authorized to expend funds for the 240 Parsons Avenue Improvements Project #748460 and that the expenditure of \$600,000.00, or so much thereof that may be

necessary for said project, be and is hereby authorized and approved as follows:

Division: 45-50

Fund: 748

OCA Code: 748460

Object level 1: 06

Object level 3: 6621

Amount: \$600,000.00

SECTION 7. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department of Finance and Management that said project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 8. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 9. That the City of Columbus hereby dedicates the real property described in the attached Exhibit A, and designated as Parcel 130WD, as road right of way and to name said right of way as Parsons Avenue and East Main Street as said dedicated property aligns with each street respectively.

SECTION 10. That the Finance and Management Director is authorized to grant temporary construction easement to the Ohio Department of Transportation for the property described in attached Exhibit B, and designated as Parcel Nos. 130T1 and 130T2, and to execute such documents as may be necessary to dedicate the property describe in attached Exhibit C, and designated as Parcel 130S, for sewer use.

SECTION 11. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.