



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 1/5/2017 **In control:** Public Utilities Committee

On agenda: 1/30/2017 **Final action:** 2/1/2017

Title: To authorize the City Attorney to spend City funds to acquire and accept in good faith certain fee simple title and lesser real estate located at Rowe Road, Lockbourne, Ohio 43137, and contract for associated professional services in order for DPU to timely complete the Lockbourne Air Quality Improvements - Public Improvement Project ("Public Project"); and to declare an emergency (\$100,000.00).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Copy of DAX Financials Land Acq 650491-5

Date	Ver.	Action By	Action	Result
2/1/2017	1	CITY CLERK	Attest	
1/31/2017	1	MAYOR	Signed	
1/30/2017	1	COUNCIL PRESIDENT	Signed	
1/30/2017	1	Columbus City Council	Approved	Pass

BACKGROUND:

The City's Department of Public Utilities (DPU) is performing the Lockbourne Air Quality Improvement - (CIP 650491-100005) Public Improvement Project ("Public Project"). The Public Project will improve certain sewer infrastructure in the vicinity of Rowe Road, Lockbourne, Ohio 43137. The City must acquire certain fee simple title and lesser real estate located at Rowe Road, Lockbourne, Ohio 31379 {Franklin County Tax Parcel(s) 495-232658} (collectively, "Real Estate") in order for DPU to complete the Public Project. Furthermore, the City Attorney's Office, Real Estate Division, reviewed the Real Estate and determined that it may cost up to One Hundred Thousand and 00/100 U.S. Dollars (\$100,000.00) to acquire the Real Estate. Accordingly, DPU requested the City Attorney to acquire and accept 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 G.O. Bond Fund, Fund 6109.

EMERGENCY JUSTIFICATION:

Emergency action is requested in order 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 estate located at Rowe Road, Lockbourne, Ohio 43137, and contract for associated professional services in order for DPU to timely complete the Lockbourne Air Quality Improvements - Public Improvement Project ("Public Project"); and to declare an emergency (\$100,000.00).

WHEREAS, the City intends to improve the sewer infrastructure in the vicinity of Rowe Road, Lockbourne, Ohio 43137 by allowing the Department of Public Utilities (DPU) to perform the Lockbourne Air Quality Improvements - (CIP 650491-100005) Public Improvement Project ("Public Project");

WHEREAS, the City intends for the City Attorney to acquire in good faith the necessary fee simple title and lesser real estate located in the vicinity of Rowe Road, Lockbourne, Ohio 43137 {Franklin County Tax Parcel(s) 495-232568} (*i.e.* Real Estate) in order for DPU to timely 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 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, OHIO:

SECTION 1. The City Attorney is authorized to acquire in good faith and accept certain fee simple title and lesser real estate located the vicinity of Rowe Road, Lockbourne, Ohio 43137 {Franklin County Tax Parcel(s) 495-232568} (*i.e.* Real Estate) in order for the Department of Public Utilities (DPU) to timely complete the Lockbourne Air Quality Improvements - (CIP 650491-100005) Public Improvement Project ("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 for the Public Project.

SECTION 3. The City Attorney, in order to exercise the authority described in this ordinance, is authorized to spend up to One Hundred Thousand and 00/100 U.S. Dollars (\$100,000.00), or as much as may be necessary, from the G.O. Bond Fund, Fund 6109 according to the account codes in the attachment to this ordinance, which is made a part of this ordinance and fully incorporated for reference as if rewritten.

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, which are made a part of this ordinance and 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 this ordinance's passage and approval by the Mayor or ten (10) days after its passage if the Mayor neither approves nor vetoes this ordinance.