



# City of Columbus

Office of City Clerk  
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## Legislation Text

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**File #:** 1974-2023, **Version:** 1

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**Background:** This ordinance authorizes the Finance and Management Director to acquire property, on behalf of the Department of Public Utilities, consisting of a tract of real property approximately 4.5 +/- acres, being that portion of Franklin County Tax Parcel 495-232653 located north of London Groveport Road. The Division of Sewerage and Drainage is currently engaged in the design of the Williams and Castle Interceptor (WCI) Project to redirect sanitary sewer flow to eliminate two existing pump stations and associated force mains that are nearing the end of their useful life. Eliminating these components will reduce the risk of sanitary sewer overflows into the Scioto River and eliminate the costs and risks of operating and maintaining these aging sanitary pump stations. The WCI Project will include a tunneled gravity sewer along US-23 crossing this site. The site will serve as a possible shaft site and as a construction laydown area for the WCI Project.

This legislation authorizes the Director of Finance and Management to execute those documents necessary to purchase the real property from Most Reverend Earl K. Fernandes, Bishop of the Diocese of Columbus and authorizes a transfer and expenditure of funds in an amount of Two Million Seven Hundred Dollars (\$2,700,000.00) for payment of all costs associated with the acquisition of the real property.

**Fiscal Impact:** Funding of \$2,700,000.00 is appropriated and available within the Sanitary Bond Fund, Fund 6109, to pay costs associated with the acquisition. It is necessary to amend the 2023 Capital Improvement Budget to provide sufficient budget authority for the proper project. It is also necessary to transfer cash and appropriation between projects within the Sanitary Bond Fund, Fund 6109, to align cash and appropriation with the proper project. The amendment is contingent upon the passage of the 2023 Capital Improvement Budget.

**Emergency Justification:** Emergency action is requested to allow for the immediate execution of the purchase agreement by the City so that the acquisition can proceed without delay to meet the transaction closing deadlines and other terms of the purchase agreement.

To authorize the Director of the Department of Finance and Management to execute those documents necessary to acquire fee simple title and lesser interests to a tract of real property approximately 4.5 +/- acres, being the portion of Franklin County Tax Parcel 495-232653 located north of London Groveport Road, to authorize an amendment to the 2023 Capital Improvement Budget; to authorize a transfer of cash and appropriation between projects within the Sanitary Bond Fund; to authorize the expenditure of up to \$2,700,000.00 from the Sanitary Bond Fund; and to declare an emergency. (\$2,700,000.00)

**WHEREAS**, the City of Columbus Department of Finance and Management, on behalf of the Department of Public Utilities, desires to enter into a purchase contract between the City and Most Reverend Earl K. Fernandes, Bishop of the Diocese of Columbus, for the purchase of approximately 4.5 acres, more or less, of real property being the portion of Franklin County Tax Parcel 495-232653 located north of London Groveport Road; and

**WHEREAS**, the site will serve as a possible shaft site and as a construction laydown area for the Department of Public Utilities, Division of Sewerage and Drainage, Williams and Castle Interceptor (WCI) Project; and

**WHEREAS**, it is necessary to transfer cash and appropriation between projects within the Sanitary Bond Fund, Fund

6109; and

**WHEREAS**, it is necessary to amend the 2023 Capital Improvements Budget for the purpose of providing sufficient budget authority for the acquisition of the property; and

**WHEREAS**, it is necessary to expend funds from the Sanitary Bond Fund, Fund 6109, to pay for the acquisition; and

**WHEREAS**, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the Director of Finance and Management to execute those documents necessary for the acquisition of that 4.5 acre, more or less, tract of real property being that portion of Franklin County Tax Parcel 495-232653 located north of London Groveport Road from Most Reverend Earl K. Fernandes, Bishop of the Diocese of Columbus, at the earliest feasible date to meet the transaction closing deadlines and other terms of the purchase agreement thereby providing for the immediate preservation of the public health, peace, property, and welfare; **NOW, THEREFORE:**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Finance and Management, on behalf of the Department of Public Utilities be, and hereby is, authorized to execute those documents by and between the City and, Most Reverend Earl K. Fernandes, Bishop of the Diocese of Columbus, as approved by the Department of Law, Real Estate Division, necessary for the purchase of that tract of real property containing approximately 4.5 acres, more or less, being that portion of Franklin County Tax Parcel 495-232653 located north of London Groveport Road.

**SECTION 2.** That the 2023 Capital Improvements Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

<u>Fund / Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change</u>
6109 / 650346-100003 / DOSD Electrical Upgrades Program (Voted Sanitary Carryover) / \$7,156,705.00 / \$4,456,705.00 / (\$2,700,000.00)
6109 / 650179-100000 / Williams and Castle Interceptor (Voted Sanitary Carryover) / \$0.00 / \$2,700,000.00 / \$2,700,000.00

**SECTION 3.** That the transfer of \$2,700,000.00, or so much thereof as may be needed, is hereby authorized between projects within the Sanitary Bond Fund, Fund 6109, per the accounting codes in the funding attachment to this ordinance.

**SECTION 4.** That the expenditure of Two Million Seven Hundred Dollars (\$2,700,000.00), or so much thereof as may be necessary, be and is hereby authorized in Fund 6109 per the accounting codes in the funding attachment to this ordinance.

**SECTION 5.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 6.** That the City Auditor is authorized to transfer the unencumbered balance in a project account to the unallocated balance account of the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

**SECTION 7.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 8.** 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 passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.