



## Legislation Details (With Text)

**File #:** 1316-2013      **Version:** 1

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

**File created:** 5/23/2013      **In control:** Public Utilities Committee

**On agenda:** 6/24/2013      **Final action:** 6/27/2013

**Title:** To authorize the Columbus City Attorney to acquire fee simple title and lesser interests; to contract for professional services; to authorize a transfer and expenditure up to Twenty-Five Thousand and 00/100 U.S. Dollars (\$25,000.00) within the Water Works Enlargement Voted Bonds Fund, for acquisition costs of necessary real property interests for the Department of Public Utilities, Cooke Road Area Water Line Improvements Project (CIP 690236-100043); and to declare an emergency. (\$25,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/27/2013	1	CITY CLERK	Attest	
6/25/2013	1	MAYOR	Signed	
6/24/2013	1	COUNCIL PRESIDENT	Signed	
6/24/2013	1	Columbus City Council	Approved	Pass

**BACKGROUND :** The City of Columbus, Ohio, Department of Public Utilities (“City”), is undertaking the Cooke Road Area Water Line Improvements Project (CIP 690236-100043) (“Project”). To complete the Project, the City must acquire certain real property interests in the vicinity of 757 Garden Rd & 4352-4368 Indianola Ave., Columbus, OH 43214. The City desires to acquire these real property interests necessary to complete the Project. Therefore, this ordinance authorizes the Columbus City Attorney to acquire fee simple title and lesser interests; contract for professional services; and spend City funds for acquisition costs related to the real property interests necessary to complete the Project.

**CONTRACT COMPLIANCE**    ~~No~~: Not applicable - City Attorney’s Office

**FISCAL IMPACT :** This ordinance authorizes the Columbus City Attorney to spend up to Twenty-five Thousand and 00/100 U.S. Dollars (\$25,000.00) from the Water Works Enlargement Voted Bonds Fund, Fund ~~No~~ 606. A transfer of funds within the Water Works Enlargement Voted Bonds Fund will be necessary, as well as an amendment to the 2013 Capital Improvements Budget.

**EMERGENCY JUSTIFICATION:** Emergency action is requested for this legislation in order to provide for the immediate acquisition of real property interests necessary for this Project, which will preserve the public health, peace, property, and safety.

To authorize the Columbus City Attorney to acquire fee simple title and lesser interests; to contract for professional services; to authorize a transfer and expenditure up to Twenty-Five Thousand and 00/100 U.S. Dollars (\$25,000.00) within the Water Works Enlargement Voted Bonds Fund, for acquisition costs of necessary real property interests for the Department of Public Utilities, Cooke Road Area Water Line Improvements Project (CIP 690236-100043); and to declare

an emergency. (\$25,000.00)

**WHEREAS**, the City of Columbus, Ohio, Department of Public Utilities (“City”), is undertaking the Cooke Road Area Water Line Improvements Project (CIP 690236-100043) (“Project”); and

**WHEREAS**, the City must acquire certain real property interests in the vicinity of 757 Garden Rd & 4352-4368 Indianola Ave., Columbus, OH 43214, to complete the Project; and

**WHEREAS**, it necessary for the Columbus City Attorney to spend up to Twenty-Five Thousand and 00/100 U.S. Dollars (\$25,000.00) from the Water Works Enlargement Voted Bonds Fund, Fund № 606, for acquiring the necessary real property interests to complete the Project; and

**WHEREAS**, it is necessary for this Council to authorize the transfer and expenditure of funds within the Water Works Enlargement Voted Bonds Fund, for the Division of Water; and

**WHEREAS**, it is necessary to authorize an amendment to the 2013 Capital Improvements Budget for the purpose of providing sufficient spending authority for Project’s expenditure; and

**WHEREAS**, it is necessary to establish an Auditor's Certificate for acquisition costs relating to real property interests needed to complete the Project; and

**WHEREAS**, an emergency exists in the usual daily operation of the City, because it is immediately necessary to authorize the Columbus City Attorney to acquire fee simple title and lesser interests and contract for associated professional services relating to the acquisition of real property interests for the Project, which are for the immediate preservation of the public health, peace, property, and safety; and **now, therefore:**

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

**SECTION 1.** The Columbus City Attorney is authorized to acquire fee simple title and lesser interests from portions of real property located in the vicinity of 757 Garden Rd & 4352-4368 Indianola Ave., Columbus, OH 43214, for acquisition of necessary real property interests for the Department of Public Utilities, Cooke Road Area Water Line Improvements Project (CIP 690236-100043) (“Project”).

**SECTION 2.** The Columbus City Attorney is authorized to contract for professional services necessary to acquire the real property interests to complete the Project.

**SECTION 3.** The Columbus City Auditor is authorized to transfer \$25,000.00 within the Department of Public Utilities, Division of Water, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept/Div. No. 60-09, OL3 6601, as follows:

**Fund No. | Project No. | Project Name | OCA Code | Change**

606 | 690428-100001 (carryover) | DRWP Cap Incr.-DD/Constr. | 664281 | -\$25,000.00

606 | 690236-100043 (carryover) | Cooke Rd. WL Imp’s | 663143 | +\$25,000.00

**SECTION 4.** The 2013 Capital Improvements Budget is amended as follows:

**Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | Change**

606 | 690428-100001 (carryover) | DRWP Cap Incr.-DD/Constr. | \$8,604,061 | \$8,579,061 | -\$25,000

606 | 690236-100043 (carryover) | Cooke Rd. WL Imp’s | \$0 | \$25,000 | +\$25,000

**SECTION 5.** The Columbus City Attorney is authorized to spend up to Twenty-Five Thousand and 00/100 U.S. Dollars (\$25,000.00), or as much as may be necessary, from the Water Works Enlargement Voted Bonds Fund, Fund № 606,

Dept./Div.60-09, Project No. 690236-100043 (carryover), OCA Code 663143, Object Level Three 6601, for acquisition costs of the necessary real property interests to complete the Project.

**SECTION 6.** 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 7.** The Columbus 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 administering said project that the 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.** The Columbus City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 9.** The Columbus 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 10.** For the reasons stated in this ordinance's preamble, which are made apart of this legislation, this ordinance is 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 its passage if the Mayor neither approves nor vetoes this ordinance.