



## Legislation Details (With Text)

**File #:** 1649-2014      **Version:** 1

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

**File created:** 7/1/2014      **In control:** Public Utilities Committee

**On agenda:** 7/21/2014      **Final action:** 7/23/2014

**Title:** To authorize the City Attorney to spend the City funds identified in Ordinance Number 2772-2012 and spend additional City funds from the Water Works Enlargement Voted Bond Funds to acquire certain new fee simple title and lesser real property interests for the Department of Public Utilities, Division of Water, Mound Street Water Booster Station Public Project; to authorize a transfer and expenditure within the Water Works Enlargement Voted Bond Funds; to amend the 2014 Capital Improvements Budget; and to declare an emergency. (\$54,900.00)

### Sponsors:

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### Code sections:

### Attachments:

Date	Ver.	Action By	Action	Result
7/23/2014	1	CITY CLERK	Attest	
7/22/2014	1	MAYOR	Signed	
7/21/2014	1	COUNCIL PRESIDENT	Signed	
7/21/2014	1	Columbus City Council	Approved	Pass

### BACKGROUND:

The City's Department of Public Utilities, Division of Water, is undertaking the Mound Street Water Booster Station (CIP 690459-100000) Public Project to replace and upgrade the water booster station located at 1547 West Mound Street, Columbus, Ohio 43223 (the "Public Project"). The City is required to acquire certain fee simple title and lesser real property interests in the vicinity of the City's real property located at 1547 West Mound Street, Columbus, Ohio 43223 in order to complete the Public Project.

The City previously passed Ordinance Number 2772-2012, which authorized the City Attorney to spend City funds for costs to acquire fee simple title and lesser real property interests at 1625 West Mound Street, Columbus, Ohio 43223 (*i.e.* "Property" identified in Ordinance Number 2772-2012). However, the City Attorney needs additional City funding in the amount of Fifty-four Thousand, Nine Hundred, and 00/100 U.S. Dollars (\$54,900.00), because the Property is not a viable option to complete the Public Project. Instead, the City is now required to acquire certain new, replacement fee simple title and lesser real property interests at 1600 West Mound St Columbus, OH 43223 (the "New Property") in order to complete the Public Project. Therefore, this ordinance authorizes the City Attorney to spend the additional funds of this ordinance and the funds identified and authorized in Ordinance Number 2772-2012 to acquire the New Property.

**FISCAL IMPACT:** The City determined the Public Project's additional funding will come from the Water Works Enlargement Voted Bond Fund, in which a transfer of funds and an amendment to the 2014 Capital Improvements Budget will be necessary.

**EMERGENCY JUSTIFICATION:** Emergency action is requested in order for the City to immediately acquire the Public Project's New Property, which preserves the public health, peace, property, and safety.

To authorize the City Attorney to spend the City funds identified in Ordinance Number 2772-2012 and spend additional City funds from the Water Works Enlargement Voted Bond Funds to acquire certain new fee simple title and lesser real property interests for the Department of Public Utilities, Division of Water, Mound Street Water Booster Station Public Project; to authorize a transfer and expenditure within the Water Works Enlargement Voted Bond Funds; to amend the 2014 Capital Improvements Budget; and to declare an emergency. (\$54,900.00)

**WHEREAS**, the City's Department of Public Utilities, Division of Water, is undertaking the Mound Street Water Booster Station (CIP 690459-100000) Public Project to replace and upgrade the water booster station located at 1547 West Mound Street, Columbus, Ohio 43223 (the "Public Project");

**WHEREAS**, the City is required to acquire certain fee simple title and lesser real property interests in the vicinity of the City's real property located at 1547 West Mound Street, Columbus, Ohio 43223 in order to complete the Public Project;

**WHEREAS**, the City previously passed Ordinance Number 2772-2012, which authorized the City Attorney to spend City funds for costs to acquire fee simple title and lesser real property interests at 1625 West Mound Street, Columbus, Ohio 43223 (*i.e.* "Property" identified in Ordinance Number 2772-2012);

**WHEREAS**, the City Attorney needs additional City funding in the amount of Fifty-four Thousand, Nine Hundred, and 00/100 U.S. Dollars (\$54,900.00), because the Property is not a viable option to complete the Public Project;

**WHEREAS**, the City is now required to acquire certain new, replacement fee simple title and lesser real property interests at 1600 West Mound St Columbus, OH 43223 (the "New Property") in order to complete the Public Project;

**WHEREAS**, an emergency exists in the City's usual daily operations, because it is immediately necessary to authorize the City Attorney to continue with the acquisition of the Public Project's New Property, which will preserve 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 City Attorney is authorized to spend all the City funds identified in Ordinance Number 2772-2012 for the acquisition of certain fee simple title and lesser real property interests at 1600 West Mound Street, Columbus, Ohio 43223 (the "New Property") for the City's Department of Public Utilities' Mound Street Water Booster Station (CIP 690459-100000) Public Project (the "Public Project").

**SECTION 2.** The City Auditor is authorized to transfer Fifty-four Thousand, Nine Hundred, and 00/100 U.S. Dollars (\$54,900.00) within the Department of Public Utilities, Division of Water, Dept/Div. Number 60-09, Water Works Enlargement Voted Bonds Fund, Fund Number 606, Object Level Three 6601, as follows:

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

606	690510-100002 (carryover)	HCWP-Field Locate/ARV)	665102	-\$50,000
606	690533-100000 (carryover)	PAWP Well Pump Repl.	606533	-\$4,900
606	690459-100000 (carryover)	Mound Distr. Booster Sta.	606459	+\$54,900

**SECTION 3.** That the 2014 Capital Improvements Budget is amended as follows, to provide sufficient budget authority for this project:

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

606	690510-100002 (carryover)	HCWP-Field Locate/ARV)	\$50,000   \$0	-\$50,000
606	690533-100000 (carryover)	PAWP Well Pump Repl.	\$13,568   \$8,668	-\$4,900
606	690459-100000 (carryover)	Mound Distr. Booster Sta.	\$0   \$54,900	+\$54,900

**SECTION 4.** The City Attorney is authorized to spend up to an additional Fifty-four Thousand, Nine Hundred, and 00/100 U.S. Dollars (\$54,900.00) to acquire the Public Project's New Property from the Water Works Enlargement Voted Bonds Fund | Fund Number 606 | Div./Dept. Number 60-09 | CIP 690459-100000 (carryover) | OCA 606459 | Obj. Lvl Three 6601.

**SECTION 5.** The funds necessary to carry out the purpose of this ordinance to acquire the Public Project's New Property are deemed appropriated, and the City Auditor is directed to establish any appropriate accounting codes.

**SECTION 6.** 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 7.** The City Auditor is authorized to establish any proper and appropriate project accounting numbers.

**SECTION 8.** 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 9.** For the reasons stated in the preamble of this ordinance, which are fully incorporated into this ordinance, this ordinance 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.