



Legislation Details (With Text)

File #: 0322-2020 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 1/27/2020 **In control:** Public Utilities Committee
On agenda: 3/2/2020 **Final action:** 3/5/2020

Title: To authorize the City Attorney to spend City funds to acquire and accept in good faith certain fee simple and lesser real estate located in the vicinity of Dyer Road from Gantz Road to Brown Road, Columbus, OH, and contract for associated professional services in order for the Department of Public Utilities to timely complete the acquisition of Real Estate for the Dyer Lazar HSTS Elimination Project; and to amend the 2019 Capital Improvement Budget. (\$160,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Dyer Lazar DAX Sheet

Date	Ver.	Action By	Action	Result
3/5/2020	1	CITY CLERK	Attest	
3/4/2020	1	MAYOR	Signed	
3/2/2020	1	COUNCIL PRESIDENT	Signed	
3/2/2020	1	Columbus City Council	Approved	Pass
2/24/2020	1	Columbus City Council	Read for the First Time	

BACKGROUND: The City’s Department of Public Utilities (“DPU”) is engaged in acquiring real estate for the Dyer Lazar HSTS Elimination Project (CIP 650895-100002) (“Public Project”). The City must acquire in good faith and accept certain fee simple and lesser real estate located in the vicinity of Dyer Road from Gantz Road to Brown Road, Columbus, OH, 43123 (collectively, “Real Estate”) in order for DPU to complete the Public Project. Accordingly, DPU requested the City Attorney to acquire 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: This legislation authorizes the expenditure of up to \$160,000.00 from the Sewer General Obligation Bond Fund 6109 and the 2019 Capital Improvement Budget will be amended to provide sufficient authority.

EMERGENCY JUSTIFICATION: Not applicable.

To authorize the City Attorney to spend City funds to acquire and accept in good faith certain fee simple and lesser real estate located in the vicinity of Dyer Road from Gantz Road to Brown Road, Columbus, OH, and contract for associated professional services in order for the Department of Public Utilities to timely complete the acquisition of Real Estate for the Dyer Lazar HSTS Elimination Project; and to amend the 2019 Capital Improvement Budget. (\$160,000.00)

WHEREAS, the City intends to improve the sewer infrastructure in the vicinity of Dyer Road from Gantz Road to

Brown Road, Columbus, OH 43123 by allowing the Department of Public Utilities (“DPU”) to engage in the acquisition of Real Estate for Dyer Lazar HSTS Elimination Project (CIP 650895-100002) (“Public Project”); and

WHEREAS, the City intends for the City Attorney to acquire in good faith and accept the necessary fee simple and lesser real estate located in the vicinity of Dyer Road from Gantz Road to Brown Road, Columbus, OH 43123 (“Real Estate”) in order for DPU to complete the Public Project; and

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.*); and

WHEREAS, it is necessary to amend the 2019 Capital Improvement Budget; and

WHEREAS, it is necessary to authorize the expenditure of up to \$160,000.00 from the Sewer General Obligation Bond Fund 6109; and **now, therefore**,

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

SECTION 1. That the City Attorney is authorized to acquire in good faith and accept certain fee simple and lesser real estate located in the vicinity of Dyer Road from Gantz Road to Brown Road, Columbus, OH 43123 (“Real Estate”) in order for the Department of Public Utilities (“DPU”) to timely complete the acquisition of the Real Estate for the Dyer Lazar HSTS Elimination Project (CIP 650895-100002) (“Public Project”).

SECTION 2. That 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. That the City Attorney, in order to exercise the authority described in Sections One (1) and Two (2) of this ordinance, is authorized to spend up to One Hundred Sixty Thousand and 00/100 U.S. Dollars (\$160,000.00), or as much as may be necessary, from the Sewer General Obligation Bond Fund 6109, according to the account codes in the attachment to this ordinance.

SECTION 4. That the 2019 Capital Improvement Budget is amended as follows:

<u>Fund</u>	<u>Project #</u>	<u>Project Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Net Change</u>
6109	650895-100001	Williams Behm HSTS Elim. Project	\$990,779	\$830,779	-\$160,000
6109	650895-100002	Dyer/Lazar HSTS Elim. Project	\$0	\$160,000	+\$160,000

SECTION 5. That 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 6. That 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. That the City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

SECTION 8. That 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 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.