



Legislation Details (With Text)

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File created: 2/6/2024 **In control:** Public Utilities & Sustainability Committee

On agenda: 3/18/2024 **Final action:** 3/21/2024

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 Walhalla Road between East Longview Ave and Clinton Heights, and contract for associated professional services in order for the Department of Public Utilities to timely complete the acquisition of Real Estate for the Walhalla Ravine Stream Restoration; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the expenditure of \$60,000.00 from the Sanitary Bond Fund; and to declare an emergency. (\$60,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 0467-2024 Accounting Template, 2. ORD 0467-2024 Exhibits

Date	Ver.	Action By	Action	Result
3/21/2024	1	CITY CLERK	Attest	
3/20/2024	1	MAYOR	Signed	
3/20/2024	1	MAYOR	Signed	
3/18/2024	1	COUNCIL PRESIDENT	Signed	
3/18/2024	1	Columbus City Council	Approved	Pass

1. BACKGROUND

The City's Department of Public Utilities ("DPU") is engaged in acquiring real estate for the Walhalla Ravine Stream Restoration Project, C.I.P. No. 650870-110167 ("Public Project"). The City must acquire in good faith and accept certain fee simple and lesser real estate located in the vicinity of Walhalla Road between East Longview Ave and Clinton Heights (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.

Exhibits are attached to this Ordinance showing the details of Seven (7) temporary easements to be acquired for this project.

2. CONTRACT COMPLIANCE

Not applicable.

3. FISCAL IMPACT

Funding in the amount of \$60,000.00 is available and appropriated in the Sanitary Bond Fund, Fund 6109. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project.

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 Walhalla Road between East Longview Ave and Clinton Heights, and contract for associated professional services in order for the Department of Public Utilities to timely complete the acquisition of Real Estate for the Walhalla Ravine Stream Restoration; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the expenditure of \$60,000.00 from the Sanitary Bond Fund; and to declare an emergency. (\$60,000.00)

WHEREAS, the City intends to stabilize the banks of the Walhalla Ravine and reduce bank erosion and suspended sediment load in the vicinity of Walhalla Road between East Longview Ave and Clinton Heights by allowing the Department of Public Utilities (“DPU”) to engage in the acquisition of Real Estate for the Walhalla Ravine Stream Restoration (“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 Walhalla Road between East Longview Ave and Clinton Heights (“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, the 2023 Capital Improvement Budget must be modified to align budget authority with the proper project; and

WHEREAS, it is necessary for this Council to authorize the expenditure of up to sixty thousand and 00/100 U.S. Dollars (\$60,000.00) from the Sanitary Bond Fund, Fund 6109, to acquire this Real Estate; and

WHEREAS, an emergency exists in the usual daily operation of DPU in that it is immediately necessary to authorize this acquisition in order to prevent unnecessary delay in completing the Public Project to prevent damage to property from flooding during heavy rainstorms, for the immediate preservation of the public peace, property, health, and safety; **NOW, THEREFORE**,

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

SECTION 1. That the 2023 Capital Improvements Budget authorized by Ordinance 1711-2023 be amended as follows to establish sufficient budget authority for this project:

Fund / Project Number / Project Name (Funding Source) / Current Authority/ Revised Authority / Change

6109 / 650870-110163 / Blueprint Fredonia Piedmont Area Integrated Solutions (Voted Sanitary Carryover) / \$354,417.00 / \$294,417.00 / (\$60,000.00)

6109 / 650870-110167 / Walhalla Ravine Stream Restoration (Voted Sanitary Carryover) / \$0.00 / \$60,000.00 / \$60,000.00

SECTION 2. 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 Walhalla Road between East Longview Ave and Clinton Heights (“Real Estate”) in order for the Department of Public Utilities (“DPU”) to timely complete the acquisition of the Real Estate for the Walhalla Ravine Stream Restoration project (“Public Project”).

SECTION 3. 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 4. That the City Attorney, in order to exercise the authority described in Sections Two (2) and Three (3) of this ordinance, is authorized to spend up to sixty thousand and 00/100 U.S. Dollars (\$60,000.00), or as much as may be necessary, from the Sanitary Bond Fund, Fund 6109, according to the account codes in the attachment to this ordinance.

SECTION 5. That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this Ordinance and the City Auditor shall establish such accounting codes as necessary.

SECTION 6. 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 7. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account 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 are no longer required for said project.

SECTION 8. That 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 shall take effect and be in force from and after this ordinance's adoption and approval by the Mayor or ten (10) days after its adoption if the Mayor neither approves nor vetoes this ordinance.