



Legislation Text

File #: 2115-2014, **Version:** 1

BACKGROUND: The City is engaged in the Department of Public Utilities, Division of Sewerage and Drainage, Big Walnut Augmentation Rickenbacker Interceptor Lockbourne Intermodal Sub-trunk (PID 650491-100002) Public Project. The City passed Ordinance Number 0796-2008 on June 16th, 2008, which authorized the City Attorney to spend funds to acquire certain fee simple title and lesser real property interests (collectively, the "Real Estate") in order to complete the Public Project. The City subsequently passed Ordinance Number 1659-2010 on December 6th, 2010, and Ordinance Number 0705-2011 on May 23rd, 2011, which each authorized the City Attorney to spend additional funds to acquire the Real Estate. Additionally, the City adopted Resolution Number 0140x-2014 on September 11th, 2014, which declared the City's necessity and intent to acquire the Real Estate. However, additional funds are necessary for the City Attorney to acquire the Real Estate. Accordingly, in addition to the funding authorized by Ordinance Numbers 0796-2008, 1659-2010, and 0705-2011, this ordinance authorizes the City Attorney to spend additional funds to acquire the Real Estate and contract for associated professional services (*e.g.* surveys, title work, appraisals, *etc.*) in order to complete the Public Project.

FISCAL IMPACT: The City determined the Public Project's funding will come from the Department of Public Utilities Sanitary Sewer General Obligation Bond Fund, Fund 664. This legislation will authorize the transfer within and the expenditure of up to Two Hundred Ninety-seven Thousand, Nine Hundred-fourteen, and 86/100 U.S. Dollars (\$297,914.86) and amend the 2014 Capital Improvements Budget.

EMERGENCY JUSTIFICATION: Emergency action is requested to allow for the City's acquisition of the Real Estate in order to complete the Public Project without unnecessary delay, which will preserve the public peace, health, property, safety, and welfare.

To authorize the City Attorney to spend additional funds to acquire certain fee simple title and lesser real property interests and contract for associated professional services for the Department of Public Utilities, Division of Sewerage and Drainage, Big Walnut Augmentation Rickenbacker Interceptor Lockbourne Intermodal Sub-trunk (PID 650491-100002) Public Project; and to declare an emergency. (\$297,914.86)

WHEREAS, it is in the City's best interest to acquire certain fee simple title and lesser real property interests (*i.e.* Real Estate) in order to complete the Department of Public Utilities, Division of Sewerage and Drainage, Big Walnut Augmentation Rickenbacker Interceptor Lockbourne Intermodal Sub-trunk (PID 650491-100002) Public Project (*i.e.* Public Project);

WHEREAS, it is in the City's best interest for the City Attorney to spend additional funds to acquire the Real Estate;

WHEREAS, it is in the City's best interest for the City Attorney to spend additional funds to contract for professional services associated with the acquisition of the Real Estate (*e.g.* surveys, title work, appraisals, *etc.*);

WHEREAS, it is necessary for City Council to authorize the transfer within and the expenditure of up to Two Hundred Ninety-seven Thousand, Nine Hundred-fourteen, and 86/100 U.S. Dollars (\$297,914.86) from the Sanitary Sewer General Obligation Bond Fund, Fund Number 664;

WHEREAS, it is necessary to amend the 2014 Capital Improvements Budget for purposes of providing sufficient budget

authority for the project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to acquire the Real Estate and contract for associated professional services to prevent delays in completing the Public Project, which will preserve the public peace, property, health, welfare, and safety; and **now, therefore**,

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

SECTION 1. The City Attorney is authorized acquire certain fee simple title and lesser real property interests (*i.e.* Real Estate) in order to complete the Department of Public Utilities, Division of Sewerage and Drainage, Big Walnut Augmentation Rickenbacker Interceptor (BWARI) Lockbourne Intermodal Sub-trunk (PID 650491-100002) Public Project (*i.e.* Public Project).

SECTION 2. The City Attorney is authorized to contract for professional services (*e.g.* surveys, title work, appraisals, *etc.*) associated with the Real Estate's acquisition.

SECTION 3. The City Auditor is authorized to transfer Two Hundred Ninety-seven Thousand, Nine Hundred-fourteen, and 86/100 U.S. Dollars (\$297,914.86) within the Department of Public Utilities, Division of Sewerage and Drainage | Dept. /Div. No. 60-05 | Sewerage and Drainage Sanitary Sewer General Obligation Bond Fund | Fund 664 | Object Level Three 6630, as follows:

From:

Project No. | Project Name | OCA Code | Change

650234-100000 | Roof Replacement for DPU Facilities | 664234 | -\$297,914.86

To:

Project No. | Project Name | OCA Code | Change

650491-100002 | BWARI Lockbourne Intermodal Sub-trunk | 644912 | +\$297,914.86

SECTION 4. In order to exercise the authority identified in Sections One (1) and Two (2) of this ordinance, the City Attorney is authorized to spend up to Two Hundred Ninety-seven Thousand, Nine Hundred-fourteen, and 86/100 U.S. Dollars (\$297,914.86) for the Public Project in the following manner:

Div. 60-05 | Fund 664 | Object Level Three 6601 | 644912 | 650491-100002 | BWARI Lockbourne Intermodal Sub-trunk | \$297,914.86

SECTION 5. The 2013 Capital Improvements Budget Ordinance Number 0683-2014 is amended as follows, to provide sufficient budget authority for the Public Project:

Proj. No. | Proj. Name | Current Authority | Revised Authority | (Change)

664 | 650234-100000 | Roof Replacement for DPU Facilities | \$300,000 | \$2,086 | (-\$297,915)

664 | 650491-100002 | BWARI Lockbourne Intermodal Sub-trunk | \$0 | \$297,915 | (+\$297,915)

SECTION 6. The funds necessary to carry out the purpose of this ordinance are deemed appropriated, and the City Auditor is directed to establish any appropriate accounting codes.

SECTION 7. 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 8. The City Auditor is authorized to establish any proper and appropriate project accounting numbers.

SECTION 9. 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 10. 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.