



## Legislation Text

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**File #:** 2527-2016, **Version:** 1

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### **BACKGROUND:**

The City's Department of Public Utilities (DPU) is performing the Woodward Avenue Storm Sewer (CIP 610990-100001/CC15722) Public Improvement Project ("Public Project"). The Public Project will improve certain storm sewer infrastructure in the vicinity of Woodward Avenue, Columbus, Ohio 43219. The City must acquire certain fee simple title and lesser real estate located at 2274 Woodward Avenue, Columbus, Ohio 43219 {Franklin County Tax Parcel(s) 190-002502} (collectively, "Real Estate") in order for DPU to complete the Public Project. Furthermore, the City Attorney's Office, Real Estate Division, reviewed the Real Estate and determined that it may cost up to Fifteen Thousand and 00/100 U.S. Dollars (\$15,000.00) to acquire the Real Estate. Accordingly, DPU requested the City Attorney to acquire and accept 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:**

DPU determined the funding for the City Attorney to acquire the Real Estate will come from DPU's Storm Sewer Bonds Fund Number 6204.

### **EMERGENCY JUSTIFICATION:**

Emergency action is requested in order to acquire the Real Estate in good faith so that DPU may timely 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 City funds to acquire and accept in good faith certain fee simple title and lesser real estate located at 2274 Woodward Avenue, Columbus, Ohio 43219, and contract for associated professional services in order for the Department of Public Utilities to timely complete the Woodward Avenue Storm Sewer Public Improvement Project; and to declare an emergency. (\$15,000.00)

**WHEREAS**, the City intends to improve the sewer infrastructure in the vicinity of Woodward Avenue, Columbus, Ohio 43219 by allowing the Department of Public Utilities (DPU) to perform the Woodward Avenue Storm Sewer (610990-100001/CC15722) Public Improvement Project (*i.e.* Public Project);

**WHEREAS**, the City intends for the City Attorney to acquire in good faith the necessary fee simple title and lesser real estate located at 2274 Woodward Avenue, Columbus, Ohio 43219 {Franklin County Tax Parcel(s) 190-002502} (*i.e.* Real Estate) in order for DPU to timely complete the Public Project;

**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.*);

**WHEREAS**, an emergency exists in the City's usual daily operations in that it is immediately necessary to authorize the City Attorney to acquire the Real Estate and contract for associated professional services so that DPU may timely complete the Public Project without unnecessary delay, 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 to acquire in good faith and accept certain fee simple title and lesser real estate located at 2274 Woodward Avenue, Columbus, Ohio 43219 {Franklin County Tax Parcel(s) 190-002502} (*i.e.* Real Estate) in order for the Department of Public Utilities (DPU) to timely complete the Woodward Avenue Storm Sewer (610990-100001/CC15722) Public Improvement 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 for the Public Project.

**SECTION 3.** The City Attorney, in order to exercise the authority described in this ordinance, is authorized to spend up to Fifteen Thousand and 00/100 U.S. Dollars (\$15,000.00), or as much as may be necessary, from the Storm Sewer Bonds Fund (Fund 6204) according to the account codes in the attachment to this ordinance, which is made a part of this ordinance and fully incorporated for reference as if rewritten.

**SECTION 4.** 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 5.** 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 6.** The City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

**SECTION 7.** 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 8.** 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 is required take effect and be in force from and after this ordinance's passage and approval by the Mayor or ten (10) days after its passage if the Mayor neither approves nor vetoes this ordinance.