



## Legislation Text

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**File #:** 0387-2018, **Version:** 1

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### **BACKGROUND:**

The City's Department of Public Utilities (DPU) is engaged in the Lower Olentangy Tunnel (CIP 650724-100000) Public Improvement Project ("Public Project"). The City must acquire in good faith and accept certain fee simple title and lesser real estate located in the vicinity of Olentangy River Road, Columbus, Ohio (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 \$5,253,800.00 the General Obligation (G.O.) Bond Fund, Fund 6109.

### **EMERGENCY JUSTIFICATION:**

Emergency designation is not requested at this time.

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 in the vicinity of Olentangy River Road, Columbus Ohio and contract for associated professional services in order for DPU to timely complete the Lower Olentangy Tunnel Public Improvement Project; to authorize the expenditure of up to \$5,253,800.00 from the General Obligation (G.O.) Bond Fund. (\$5,253,800.00)

**WHEREAS**, the City intends to improve the sewer infrastructure in the vicinity of Olentangy River Road Columbus, Ohio by allowing the Department of Public Utilities (DPU) to engage in the Lower Olentangy Tunnel (CIP 650724-100000) Public Improvement Project ("Public Project"); and

**WHEREAS**, the City intends for the City Attorney to acquire in good faith and accept the necessary fee simple title and lesser real estate located in the vicinity of Olentangy River Road, Columbus, Ohio (*i.e.* 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 **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 title and lesser real estate located in the vicinity of Olentangy River Road, Columbus, Ohio (*i.e.* Real Estate) in order for the Department of Public Utilities (DPU) to timely complete the Lower Olentangy Tunnel (CIP 650724-100000) Public Improvement

Project (“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 expend up to Five Million Two Hundred and Fifty Three Thousand Eight Hundred and 00/100 U.S. Dollars (\$5,253,800.00), or as much as may be necessary, from the Sanitary Sewer General Obligation Bond Fund (Fund 6109) according to the account codes in the attachment to this ordinance.

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

**SECTION 7.** 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 8.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated and the City Auditor shall establish such accounting codes as necessary.

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