File #: 3072-2018, **Version:** 1

BACKGROUND: The City's Department of Public Utilities (DPU) is engaged in acquiring real estate for the Williams/Behm Home Sewage Treatment Systems Elimination Project, (CIP 650895-100001) ("Public Project"). The City must acquire in good faith and accept certain fee simple title and lesser real estate located in the vicinity of Williams Road, Behm Road and Strack Road, Columbus, OH 43207 (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*.).

CONTRACT COMPLIANCE: Not applicable.

FISCAL IMPACT: This legislation authorizes the transfer within of $150,000.00 and the expenditure of up to $250,000.00 from the Sanitary Sewer General Obligation, Bond Fund, Fund 6109; and amends the 2018 Capital Improvements Budget.

EMERGENCY JUSTIFICATION: N/A

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 Williams Road, Behm Road, and Strack Road, Columbus, OH 43207 and contract for associated professional services in order for the Department of Public Utilities to timely complete the acquisition of Real Estate for the Williams/Behm Home Sewage Treatment Systems Elimination (CIP 650895-100001) project; and to authorize the transfer within of $150,000.00 and the expenditure of up to $250,000.00 from the Sanitary Sewer General Obligation Bond Fund; to amend the 2018 Capital Improvements Budget. ($250,000.00)

WHEREAS, the City intends to improve the sewer infrastructure in the vicinity of Williams Road, Behm Road, and Strack Road, Columbus, OH 43207 by allowing the Department of Public Utilities (DPU) to engage in the acquisition of Real Estate for the Williams/Behm Home Sewage Treatment Systems Elimination (CIP 650895-100001) 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 Williams Road, Behm Road and Strack Road, Columbus, OH 43207 (*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

WHEREAS, it is necessary to authorize transfer within of $150,000.00 and the expenditure of up to $250,000.00 from the Sanitary Sewer General Obligation Bond Fund, Fund 6109; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize an amendment to the 2018 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; **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 Williams Road, Behm Road, and Strack Road, Columbus, OH 43207 (*i.e.* Real Estate) in order for the Department of Public Utilities (DPU) to timely complete the acquisition of the Real Estate for the Williams/Behm Home Sewage Treatment Systems Elimination (CIP 650895-100001) 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 spend up to two and fifty thousand and 00/100 U.S. Dollars ($250,000.00), 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 2018 Capital Improvements Budget is hereby amended as follows:

Fund # | Project No. | Project Name | Current Authority | Revised Authority | Change
6109 | P650871-110176 | Roof Redirection - Clintonville 1, Schreyer / Springs | $3,170,045 | $3,020,045 | (-$150,000)
6109 | P650895-100001 | Williams / Behm HSTS Elimination Project | $0 | $150,000 | (+$150,000)

SECTION 5. That the City Auditor is authorized and directed to transfer up to one hundred and fifty and 00/100 U.S. Dollars ($150,000.00) from the Sanitary Sewer General Obligation, Bond Fund (Fund 6109) according to the account codes in the attachment to this ordinance.

SECTION 6. 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 7. 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 8. That the City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

SECTION 9. 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 10. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.