



## Legislation Text

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**File #:** 3064-2019, **Version:** 1

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**Background:** This legislation authorizes the Finance and Management Director to execute those documents necessary to purchase real property, on behalf of the Department of Public Utilities, from Dublin 745 LLC, an Ohio limited liability company, 8415 Dublin Road LLC, an Ohio limited liability company, and Timber Lake - Liberty LLC, on behalf of the Department of Public Utilities, consisting of approximately 159 +/- acres located on Dublin Road in Delaware County and identified as Delaware County Tax Parcels № 600-240-03-017-000, 600-240-03-018-000, 600-240-03-019-000 and 600-311-01-001-000 and authorizes the expenditure of funds in an amount up to Six Million One Hundred Thousand and 00/100 Dollars (\$6,100,000.00) for payment of all costs associated with the acquisition of the real property. The property was a former quarry and contains two reservoir areas. Purchase of this property will provide the Department of Public Utilities, Division of Water, a site adjacent to its site acquired for the City's fourth water plant and will serve as a potential reservoir for the disposal of water treatment residuals that will be produced as a byproduct of the water treatment process thereby reducing residual disposal costs.

**Fiscal Impact:** Funding of \$6,100,000.00 is budgeted and available within the Water G.O. Bonds Fund to pay costs associated with the acquisition.

**Emergency Justification:** Emergency action is requested to allow for the immediate execution of the purchase agreement by the City so that the acquisition can proceed without delay in agreement with the closing transaction deadlines and other terms of the purchase agreement in order to secure the real property.

To authorize the Director of Finance and Management to execute those documents necessary to acquire fee simple title and lesser interests to real property identified as Delaware County Tax Parcels № 600-240-03-017-000, 600-240-03-018-000, 600-240-03-019-000 and 600-311-01-001-000 located on Dublin Road, Delaware County, Ohio, to authorize the expenditure of up to \$6,100,000.00 within the Water G.O. Bonds Fund; and to declare an emergency. (\$6,100,000.00).

**WHEREAS**, the City of Columbus Department of Finance and Management, on behalf of the Department of Public Utilities, desires to enter into a purchase contract by and between the City and Dublin 745 LLC, an Ohio limited liability company, 8415 Dublin Road LLC, an Ohio limited liability company, and Timber Lake - Liberty LLC for the purchase of approximately 159+/- acres of real property located in the vicinity of Dublin Road, Delaware County, Ohio and identified as Delaware County Tax Parcels № 600-240-03-017-000, 600-240-03-018-000, 600-240-03-019-000 and 600-311-01-001-000; and

**WHEREAS**, the site is adjacent to the City's future fourth water plant and the purchase of this real property will allow the Department of Public Utilities, Division of Water, to have a potential reservoir for disposal of water treatment residuals thereby reducing residual disposal costs; and

**WHEREAS**, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the Director of Finance and Management to execute those documents necessary for the acquisition of that real property identified as Delaware County Tax Parcels from Dublin 745 LLC, 8415 Dublin Road LLC and Timber Lake - Liberty LLC, at the earliest date feasible before year end, thereby providing for the immediate preservation of the public health, peace, property, welfare; and now, therefore:

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

**SECTION 1.** That the Director of Finance and Management, on behalf of the Department of Public Utilities be, and hereby is, authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary for the purchase of that real property containing approximately 159 +/- acres, located in the vicinity of Dublin Road, Delaware County, Ohio and further identified as Delaware County Tax Parcels № 600-240-03-017-000, 600-240-03-018-000, 600-240-03-019-000 and 600-311-01-001-000.

**SECTION 2.** That the expenditure of Six Million One Hundred Thousand and 00/100 Dollars (\$6,100,000.00), or so much thereof as may be necessary, be and is hereby authorized in Fund 6006 per the accounting codes in the attachment to this ordinance. See attachment “Ordinance 3064-2019 Funding”.

**SECTION 3.** 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 4.** That the City Auditor is authorized to transfer the unencumbered balance in a project account to the unallocated balance account of 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 5.** 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 6.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.