BACKGROUND: The City's Department of Public Utilities ("DPU") is engaged in the Alum Creek Storm Tank (CIP 650009-100001) 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 Integrity Drive and Interstate 70 Columbus, Ohio 43209 (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: DPU has determined that the funding for the City Attorney to acquire the Real Estate for this project will come from the Sanitary Sewer General Obligation Bond Fund 6109.

EMERGENCY JUSTIFICATION: Not Applicable

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 Integrity Drive and Interstate 70 Columbus, Ohio 43209 and contract for associated professional services in order for the Department of Public Utilities to timely complete the acquisition of Real Estate for the Alum Creek Storm Tank public improvement project; to transfer up to $44,540.74 within the Sanitary Sewer General Obligation Bond Fund; to expend up to $100,000.00 from the Sanitary Sewer General Obligation Bond Fund; and to amend the 2019 Capital Improvement Budget. ($100,000.00)

WHEREAS, the City intends to improve the sewer infrastructure in the vicinity of Integrity Drive and Interstate 70 Columbus, Ohio 43209 by allowing the Department of Public Utilities ("DPU") to engage in the acquisition of Real Estate for the Alum Creek Storm Tank (CIP 650009-100001) 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 Integrity Drive and Interstate 70 Columbus, Ohio 43209 ("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 for this Council to authorize a transfer of $44,540.74 within and an expenditure of funds of $100,000.00 from the General Obligation Bond Fund 6109; and

WHEREAS, it is necessary to authorize an amendment to the 2019 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 Integrity Drive and Interstate 70 Columbus, Ohio 43209 ("Real Estate") in order for

the Department of Public Utilities ("DPU") to timely complete the Alum Creek Storm Tank (CIP 650009-100001) 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. 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 One Hundred Thousand and 00/100 U.S. Dollars ($100,000.00), or as much as may be necessary, from the General Obligation Bond Fund 6109 according to the account codes in the attachment to this ordinance.

SECTION 4. That the City Auditor is authorized and directed to transfer up to $44,540.74 within the Sanitary Sewer General Obligation Bond Fund 6109 per the account codes attached to this ordinance.

SECTION 5. That the 2019 Capital Improvements Budget is hereby amended as follows:

Fund | Project ID | Project Name | Current Authority | Revised Authority | Net Change
6109 | 650591-100000 | Poindexter Village Sanitary Sewers | $44,541 | $0 | - ($44,541)
6109 | 650009-100001 | Real Time Control - Alum Creek Storm Tank | $0 | $44,541 | +$44,541

SECTION 6. 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. 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 and directed to establish any proper and appropriate project accounting numbers.

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