



## Legislation Text

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**File #:** 0159-2021, **Version:** 1

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**BACKGROUND:** The City's Department of Public Utilities ("DPU") is engaged in acquiring real estate for the Central College Subtrunk Sewer Project (CIP 650033-100003) ("Public Project"). The City must acquire in good faith and accept certain fee simple and lesser real estate located in the vicinity of Central College Road and Harlem Road, Columbus, OH 43081 (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. The City initially passed Ordinance 3428-2018 authorizing the expenditure of \$325,000.00 for the project, and DPU has now determined that an additional \$500,000.00 will be needed.

**CONTRACT COMPLIANCE:** Not applicable.

**FISCAL IMPACT:** This legislation authorizes the transfer within and expenditure of up to \$500,000.00 within the Sanitary Sewer General Obligation Fund 6109 and amends the 2020 Capital Improvement Budget to align authority with the expenditure.

**EMERGENCY JUSTIFICATION:** Emergency action is requested in order to acquire the Real Estate and allow DPU to 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 and lesser real estate located in the vicinity of Central College Road and Harlem Road, Columbus, OH 43081, and contract for associated professional services in order for the Department of Public Utilities to timely complete the acquisition of Real Estate for the Central College Subtrunk Sewer Project; to transfer within and expend up to \$500,000.00 within the Sanitary Sewer General Obligation Bond Fund; to amend the 2020 Capital Improvement Budget; and to declare an emergency. (\$500,000.00)

**WHEREAS,** the City intends to improve the sewer infrastructure in the vicinity of Central College Road and Harlem Road, Columbus, OH 43081, by allowing the Department of Public Utilities ("DPU") to engage in the acquisition of Real Estate for the Central College Subtrunk Sewer Project (CIP 650033-100003) ("Public Project"); and

**WHEREAS,** the City intends for the City Attorney to acquire in good faith and accept the necessary fee simple and lesser real estate located in the vicinity of Central College Road and Harlem Road, Columbus, OH 43081 ("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 the transfer within and expenditure of up to Five Hundred Thousand and 00/100 U.S. Dollars (\$500,000.00) from the Sanitary Sewer General Obligation Bond Fund; and

**WHEREAS,** it is necessary to authorize an amendment to the 2020 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operations of DPU in that it is immediately necessary to acquire the Real Estate in order to prevent unnecessary delay in completing the public project, 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:**

**SECTION 1.** That the City Attorney is authorized to acquire in good faith and accept certain fee simple and lesser real estate located in the vicinity of Central College Road and Harlem Road, Columbus, OH 43081 (“Real Estate”) in order for the Department of Public Utilities (“DPU”) to timely complete the acquisition of the Real Estate for the Central College Subtrunk Sewer Project (CIP 650033-100003) (“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 transfer within and expend up to Five Hundred Thousand and 00/100 U.S. Dollars (\$500,000.00), or as much as may be necessary, from the Sanitary Sewer General Obligation Bond Fund 6109, according to the account codes in the attachment to this ordinance.

**SECTION 4.** That the 2020 Capital Improvement Budget is amended according to the account codes in the attachment to this ordinance.

**SECTION 5.** 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 6.** 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 7.** That the City Auditor is authorized and directed to establish any proper and appropriate project accounting numbers.

**SECTION 8.** 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 9.** That 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 shall take effect and be in force from and after this ordinance’s adoption and approval by the Mayor or ten (10) days after its adoption if the Mayor neither approves nor vetoes this ordinance.