1. BACKGROUND
This ordinance authorizes funds in an amount up to $12,000.00 to be spent by the City Attorney for expenses associated with acquiring the right-of-way needed for Walhalla Ravine Stream Restoration Project, C.I.P. No. 650870-110167.

The City's Department of Public Utilities ("DPU") is engaged in the Walhalla Ravine Stream Restoration Project. This project is part of the Blueprint Tulane/Findley Integrated Solution project. It will stabilize 600 feet of the banks of the Walhalla Ravine with natural channel design while stabilizing that section of Walhalla Road. The project will also reduce bank erosion which is expected to reduce total suspended solids by over 4 tons per year, partially achieving the water quality goals of the Blueprint Clintonville 3 projects.

The City must acquire in good faith and accept certain fee simple and lesser real estate located at the south end of the backyards of several properties along Walhalla Road between East Longview Ave and Clinton Heights, and on the east side of Walhalla Road south of Brynhild Road (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. Exhibits are attached to this Ordinance showing the details of the easements to be acquired for this project.

Ordinance 0467-2024, passed by City Council on 3/18/24, authorized the expenditure of up to $60,000.00 to acquire right -of-way needed for this project along with other expenses associated with acquiring the right-of-way. That was an estimated amount. Additional funds are needed to complete the acquisition.

2. CONTRACT COMPLIANCE
Not applicable.

3. FISCAL IMPACT
Funds in the amount of $12,000.00 for this expenditure are available in the Sanitary Bond Fund, Fund 6109. An amendment to the 2025 Capital Improvement Budget is needed to align budget authority with the proper project.

4. EMERGENCY DESIGNATION
Emergency action is requested in order to acquire the Real Estate and allow DPU to timely complete the Public Project improvements to this developing area before the sewer system can no longer accommodate the increased usage, preventing sewage overflow into storm water systems and basement flooding, thereby preserving 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 Walhalla Road between East Longview Ave and Clinton Heights, and contract for associated professional services needed for the acquisition of Real Estate; to amend the 2025 Capital Improvement Budget; to authorize an expenditure of up to $12,000.00 within the Sanitary Bond Fund; and to declare an emergency. ($12,000.00)

WHEREAS, the City intends to restore 600 feet of the Walhalla Ravine in Clintonville by a natural channel design to partially achieve the goal of total suspended solid reduction that is required by the Blueprint Clintonville 3 Tulane/Findley Integrated Solution project, by allowing the Department of Public Utilities ("DPU") to engage in the acquisition of Real Estate for Walhalla Ravine Stream Restoration Project ("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 the southerly Limited Access Right-of-Way along Walhalla Road between East Longview Ave and Clinton Heights ("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, the 2025 Capital Improvement Budget must be amended to align budget authority with the proper project; and

WHEREAS, it is necessary for this Council to authorize the expenditure of up to twelve thousand and 00/100 U.S. Dollars ($12,000.00) from the Sanitary Bond Fund, Fund 6109, to acquire this Real Estate; and

WHEREAS, an emergency exists in the usual daily operation of DPU in that it is immediately necessary to authorize this acquisition for this developing area before the sewer system can no longer accommodate the increased usage, preventing sewage overflow into storm water systems and basement flooding, for the immediate preservation of the public peace, property, health, welfare, and safety; **NOW, THEREFORE:**

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

SECTION 1. That the 2025 Capital Improvements Budget authorized by ordinance 1790-2025 be amended to establish sufficient authority for this project:

Fund/Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change
6109 / 650870-100000 / Blueprint Integrated Approach (Voted Sanitary Carryover) / $592,445.00 / $580,445.00 / ($12,000.00)
6109 / 650870-110167 / Walhalla Ravine Stream Restoration (Voted Sanitary Carryover) / $0.00 / $12,000.00 / $12,000.00

SECTION 2. 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 the southerly Limited Access Right-of-Way line along Walhalla Road between East Longview Ave and Clinton Heights ("Real Estate") in order for the Department of Public Utilities ("DPU") to timely complete the acquisition of the Real Estate for the Walhalla Ravine Stream Restoration project ("Public Project").

SECTION 3. 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 4. That the City Attorney, in order to exercise the authority described in Section Two and Section Three of this ordinance, is authorized to spend up to twelve thousand and 00/100 U.S. Dollars ($12,000.00), or as much as may be necessary, from the Sanitary Bond Fund, Fund 6109, according to the account codes in the attachment to this ordinance.

SECTION 5. That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this Ordinance and the City Auditor shall establish such accounting codes as necessary.

SECTION 6. 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 7. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within 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 8. 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.