



## Legislation Details (With Text)

**File #:** 1712-2007      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/18/2007      **In control:** Public Service & Transportation Committee

**On agenda:** 11/5/2007      **Final action:** 11/8/2007

**Title:** To authorize the appropriation and transfer of \$150,000.00 from the Special Income Tax Fund to the Voted 1995, 1999, 2004 Streets and Highways Fund; to authorize the City Attorney to expend an additional \$150,000.00 for acquisition related activities including the acquisition of fee simple title and lesser interests in and to property needed for the Miscellaneous Intersections Group 10 (Hudson and High) Improvement project; to authorize the expenditure of \$150,000.00 from the Voted 1995, 1999, 2004 Streets and Highways Fund; and to declare an emergency. (\$150,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
11/8/2007	1	CITY CLERK	Attest	
11/7/2007	1	MAYOR	Signed	
11/5/2007	1	Columbus City Council	Approved	
11/5/2007	1	COUNCIL PRESIDENT	Signed	
10/22/2007	1	Auditor Reviewer	Reviewed and Approved	
10/22/2007	1	CITY AUDITOR	Reviewed and Approved	
10/22/2007	1	Service Reviewer	Sent for Approval	
10/22/2007	1	CITY ATTORNEY	Reviewed and Approved	
10/22/2007	1	Service Reviewer	Sent to Clerk's Office for Council	
10/19/2007	1	FINANCE DIRECTOR	Reviewed and Approved	
10/19/2007	1	SERVICE DIRECTOR	Reviewed and Approved	
10/18/2007	1	Service Drafter	Sent for Approval	
10/18/2007	1	Service Reviewer	Reviewed and Approved	
10/18/2007	1	SERVICE DIRECTOR	Reviewed and Approved	
10/18/2007	1	Finance Reviewer	Reviewed and Approved	
10/18/2007	1	Finance Reviewer	Reviewed and Approved	

The City of Columbus is engaged in the Miscellaneous Intersections Group 10 (Hudson and High) Improvement Project. This project will improve the intersections of Hudson Street with Neil Avenue and with High Street; will widen Hudson Street on both sides between Neil Avenue and High Street; will widen Hudson Street on the south side between High Street and East Avenue; and will install new signals at the intersections of Hudson Street with Neil Avenue and with High Street. The City Attorney's office has been acquiring additional rights-of-way to accommodate the proposed improvements using funding previously established pursuant to Ordinances 3008-1999, 0592-2004 and 0960-2005. The City Attorney's Real Estate Division staff recently notified the Transportation Division an additional \$150,000.00 would be required to complete acquisition of the rights-of-way needed for this project. The

following legislation authorizes the City Attorney to expend an additional \$150,000.00, or so much thereof as may be necessary, to complete acquisition of fee simple title and lesser interests in and to property needed for this improvement project.

**Fiscal Impact:** Additional acquisition related expenses are currently estimated to be \$150,000.00 for this project. Funds are budgeted and available for this expenditure from the Voted 1995, 1999, 2004 Streets and Highways Fund.

**Emergency action** is being requested to allow right-of-way acquisition related activities to be completed so construction of the proposed intersection improvement project can proceed without delay.

To authorize the appropriation and transfer of \$150,000.00 from the Special Income Tax Fund to the Voted 1995, 1999, 2004 Streets and Highways Fund; to authorize the City Attorney to expend an additional \$150,000.00 for acquisition related activities including the acquisition of fee simple title and lesser interests in and to property needed for the Miscellaneous Intersections Group 10 (Hudson and High) Improvement project; to authorize the expenditure of \$150,000.00 from the Voted 1995, 1999, 2004 Streets and Highways Fund; and to declare an emergency. (\$150,000.00)

**WHEREAS**, the City of Columbus is engaged in the Miscellaneous Intersections Group 10 (Hudson and High) Improvement project; and

**WHEREAS**, the purpose of this project is to improve the intersections of Hudson Street with Neil Avenue and with High Street; to widen Hudson Street on both sides between Neil Avenue and High Street; to widen Hudson Street on the south side between High Street and East Avenue; and to install new signals at the intersections of Hudson Street with Neil Avenue and with High Street; and

**WHEREAS**, the City Attorney's office has been acquiring additional rights-of-way to accommodate the proposed improvements using funding previously established pursuant to Ordinances 3008-1999, 0592-2004 and 0960-2005; and

**WHEREAS**, the City Attorney's Real Estate Division staff recently notified the Transportation Division an additional \$150,000.00 would be required to complete acquisition of the rights-of-way needed for this project; and

**WHEREAS**, the following legislation authorizes the City Attorney to expend an additional \$150,000.00, or so much thereof as may be necessary, to complete acquisition of fee simple title and lesser interests in and to property needed for this improvement project; and

**WHEREAS**, the city will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

**WHEREAS**, this transfer should be considered a temporary funding method; and

**WHEREAS**, the aggregate principal amount of the obligations which the city will issue to finance this purchase is presently expected not to exceed \$150,000.00; and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to authorize the City Attorney to expend the additional funds necessary to complete acquisition related activities for this improvement project so that construction can begin without delay thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1.** That from the unappropriated monies in the Special Income Tax Fund, Fund 430, and from the monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2007, the sum of \$150,000.00 be and hereby is appropriated to the City Auditor, Department No. 22-01, Object Level One Code 10, Object Level Three Code 5501, OCA Code 920023.

**SECTION 2.** That the City Auditor is hereby authorized to transfer \$150,000.00 to the Voted 1995, 1999, 2004 Streets and Highways Fund, Fund 704, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

**SECTION 3.** That \$150,000.00 is hereby appropriated within the Voted 1995, 1999, 2004 Streets and Highways Fund, Fund 704, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6601, OCA Code 644385,

Project 530086 to continue acquisition related activities necessary to complete acquisition of fee simple title and lesser interests in and to those parcels needed for the Group 10, Hudson and High Intersection Improvement Project and to expend those funds required to pay related acquisition costs for the Transportation Division.

**SECTION 4.** That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 3 above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 5.** That the City intends that this ordinance constitute an official intent for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

**SECTION 6.** That the City Attorney be and is hereby authorized to continue acquisition related activities necessary to complete acquisition of fee simple title and lesser interests in and to those parcels needed for the Group 10, Hudson and High Intersection Improvement Project and to expend those funds required to pay related acquisition costs.

**SECTION 7.** That the sum of \$150,000.00 or so much thereof as may be needed is hereby authorized to be expended from the Voted 1995, 1999, 2004 Streets and Highways Fund, No. 704, Dept./Div. 59-09, Object Level One Code 06, Object Level Three Code 6601, OCA Code 644385, Project Number 530086.

**SECTION 8.** 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 9.** 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.