



## Legislation Details (With Text)

**File #:** 0562-2010      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 3/29/2010      **In control:** Public Service & Transportation Committee  
**On agenda:** 4/12/2010      **Final action:** 4/14/2010

**Title:** To authorize the expenditure of \$100,000.00 or so much thereof as may be necessary from the Streets and Highways G.O. Bonds Fund for acquisition costs incurred by the City Attorney's Office, Real Estate Division, for various projects within the Department of Public Service Division of Design and Construction; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$100,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
4/14/2010	1	CITY CLERK	Attest	
4/13/2010	1	MAYOR	Signed	
4/12/2010	1	Columbus City Council	Approved	Pass
4/12/2010	1	COUNCIL PRESIDENT	Signed	
4/2/2010	1	Auditor Reviewer	Reviewed and Approved	
4/2/2010	1	CITY AUDITOR	Reviewed and Approved	
4/2/2010	1	Service Drafter	Sent for Approval	
4/2/2010	1	CITY ATTORNEY	Reviewed and Approved	
4/2/2010	1	Service Drafter	Sent to Clerk's Office for Council	
4/1/2010	1	Finance Reviewer	Reviewed and Approved	
4/1/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
4/1/2010	1	Service Drafter	Sent for Approval	
3/31/2010	1	Service Drafter	Sent for Approval	
3/31/2010	1	Finance Reviewer	Reviewed and Approved	
3/30/2010	1	SERVICE DIRECTOR	Reviewed and Approved	
3/29/2010	1	Service Drafter	Sent for Approval	
3/29/2010	1	Service Reviewer	Reviewed and Approved	

### 1. BACKGROUND

The City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in many projects involving the rehabilitation and reconstruction of roadways within the City of Columbus. In order to construct these roadways right of way acquisition is often needed for the expansion of the roadway or project footprint. In some cases these acquisition expenses need to be expedited faster than it takes to pass legislation for the particular acquisition or real estate expense necessary. This legislation authorizes the expenditure of \$100,000.00 for various right of way acquisition and real estate expenses incurred during roadway improvement projects.

Ordinance 1597-2009 was previously passed for this purpose and was used or will be used in the near future for various projects. These projects included Tuttle Crossing Boulevard for acquisition of additional right of way within the Columbus Corporation Limits, Hard Road for a railroad easement, North High Street from Flint Road to County line for payment of property taxes, and Morse Road Phase 2 for property acquisition.

**2. FISCAL IMPACT**

Monies to pay for these costs are available due to cancellation of encumbrances from completed projects within the Streets and Highways G.O. Bonds Fund.

**3. EMERGENCY JUSTIFICATION**

Failure to place court ordered settlement funds on deposit with the court system in a timely manner can result in the assessment of penalties and interest therefore emergency action is requested to allow the City Attorney's Real Estate Division to place court ordered settlement funds on deposit with the Franklin County Clerk of courts as soon as possible

To authorize the expenditure of \$100,000.00 or so much thereof as may be necessary from the Streets and Highways G.O. Bonds Fund for acquisition costs incurred by the City Attorney's Office, Real Estate Division, for various projects within the Department of Public Service Division of Design and Construction; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$100,000.00)

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in various projects that require right of way acquisition; and

**WHEREAS**, these right of way acquisition costs are generally budgeted for each project and legislated individually; and

**WHEREAS**, occasionally a situation arises where these budgeted amounts are not sufficient and it is necessary to provide right of way funding quickly to avoid assessment of penalties and interest; and

**WHEREAS**, ordinance 1597-2009 was previously passed for this purpose and was used or will be used in the near future for various projects including Tuttle Crossing Boulevard, Hard Road, North High Street and Morse Road; and

**WHEREAS**, this ordinance authorizes the expenditure \$100,000.00 for the purpose of providing funding for these miscellaneous right of way expenses for various projects; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction in that it is immediately necessary to authorize the expenditure of funds needed to pay for acquisition related expenses associated with various projects thereby avoiding the assessment of penalties and interest and 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 the City Attorney's Office, Real Estate Division, be and is hereby authorized to expend \$100,000.00, or so much thereof as may be necessary from the Streets and Highways G.O. Bonds Fund, Fund 704, as follows: Project 530161-100072; Department/Division 59-12; OL 01-03 Codes 06-6601; OCA Code 599501; to pay costs relative to the right-of-way acquisition for various projects.

**Section 2.** That the sum of \$35,931.07 be and hereby is appropriated from the unappropriated balance of Fund 704, the Streets and Highways G.O. Bonds Fund, and from all monies estimated to come into said funds from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2010 as follows:

**Division of Design and Construction, Dept-Div 59-12:**

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount  
704 / 704999-100000 / Unallocated Balance / 06-6600 / 591254 / \$35,931.07

**Section 3.** That the transfer of cash and appropriation within the Streets and Highways G.O. Bonds Fund, fund 704, be authorized as follows:

**Transfer from:**

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 530161-100000 / Roadway Improvements / 06-6600 / 590046 / \$43,473.97

704 / 590136-100000 / East Broad Street TIF / 06-6600 / 591262 / \$20,594.96

704 / 704999-100000 / Unallocated Balance / 06-6600 / 591254 / \$35,931.07

**Transfer to:**

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 530161-100072 / Roadway Improvements - Miscellaneous ROW Acquisition / 06-6600 / 599501 / \$100,000.00

**Section 4.** 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.