



Legislation Details (With Text)

File #: 2671-2013 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 11/7/2013 **In control:** Public Service & Transportation Committee
On agenda: 12/2/2013 **Final action:** 12/5/2013

Title: To authorize the City Attorney to acquire fee simple title and lesser interests and to contract for professional services; to authorize the appropriation of \$75,000.00 from the unappropriated balance in the Albany Crossing TIF Fund to the Albany Crossing TIF Fund; to expend \$75,000.00 from the Albany Crossing TIF Fund for costs in connection with the Warner Road Project Phase 2; and to declare an emergency. (\$75,000.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/5/2013	1	CITY CLERK	Attest	
12/4/2013	1	MAYOR	Signed	
12/2/2013	1	COUNCIL PRESIDENT	Signed	
12/2/2013	1	Columbus City Council	Approved	Pass

1. BACKGROUND

On December 12, 2005, Columbus City Council approved Ordinance 2117-2005, which established ten tax increment financing (TIF) incentive districts in the northeast area of Columbus under Ohio Revised Code Section 5709.40(C). Annual service payments in lieu of taxes with respect to development within these incentive districts are paid into special funds established for the purpose of improving public infrastructure benefiting the incentive district(s). Improvements to Warner Road, designated as Warner Road Project Phase 2, will directly benefit parcels within the Albany Crossing TIF District. The following ordinance authorizes the City Attorney to acquire fee simple title and lesser interests, to contract for professional services, and to expend the monies for payment of acquisition costs in connection with the Warner Road Project Phase 2 out of TIF revenues from the Albany Crossing Incentive District.

2. FISCAL IMPACT

The Department of Public Service, Division of Design and Construction, has determined funding for this project will be from the Department of Development's Albany Crossing TIF, pursuant to Ordinance 2117-2005, which passed on December 12, 2005. The Department of Development has agreed that source of funding can be used.

3. EMERGENCY DESIGNATION

Emergency action is requested to allow acquisition of the parcels necessary for this project to proceed without delay, thereby allowing this project to move forward as scheduled.

To authorize the City Attorney to acquire fee simple title and lesser interests and to contract for professional services; to authorize the appropriation of \$75,000.00 from the unappropriated balance in the Albany Crossing TIF Fund to the Albany Crossing TIF Fund; to expend \$75,000.00 from the Albany Crossing TIF Fund for costs in connection with the Warner Road Project Phase 2; and to declare an emergency. (\$75,000.00)

WHEREAS, on December 12, 2005, Columbus City Council passed Ordinance 2117-2005, which established ten tax

increment financing (TIF) incentive districts in the northeast area of Columbus under Ohio Revised Code Section 5709.40 (C), including the Albany Crossing TIF District; and

WHEREAS, the improvements to Warner Road, designated as Warner Road Project Phase 2, will directly benefit parcels within the Albany Crossing Incentive District; and

WHEREAS, in order to construct the improvements under the Warner Road Project Phase 2, it is necessary to acquire additional right-of-way; and

WHEREAS, this ordinance authorizes the City Attorney to acquire fee simple title and lesser interests, to contract for professional services, and to expend the monies for payment of acquisition costs in connection with the Warner Road Project Phase 2; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction that it is immediately necessary to pass this ordinance to authorize the City Attorney to acquire fee simple title and lesser interests and to certain parcels of real estate and to contract for the aforesaid professional service necessary in connection with said project for the preservation of 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 be, and hereby is, authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the Warner Road Project Phase 2, Project No. 441100-100000.

SECTION 2. That from the unappropriated balance in the Albany Crossing TIF Fund, Fund 441, and from any and all sources unallocated for any other purpose during the fiscal year ending December 31, 2013, the sum of \$75,000.00, be and hereby is appropriated as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
441 / 441100-100000 / Development Division, Albany Crossing TIF Fund / 6601 / 441100 / \$75,000.00

SECTION 3. That the expenditure of \$75,000.00, or so much thereof as may be necessary , be and hereby is authorized as follows from the Department of Development, Albany Crossing TIF Fund:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
441 / 441100-100000 / Development Division, Albany Crossing TIF Fund / 6601 / 441100 / \$75,000.00

SECTION 4. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 5. 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 6. 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 7. 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.