



## Legislation Details (With Text)

**File #:** 3287-2022      **Version:** 1

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

**File created:** 11/16/2022      **In control:** Public Service & Transportation Committee

**On agenda:** 12/5/2022      **Final action:** 12/7/2022

**Title:** To authorize the City Attorney's Office, Real Estate Division, to contract for professional services relative to the acquisition of fee simple title and lesser interests in and to property needed for the Wheatland Avenue Improvements project; to authorize the City Attorney's Office, Real Estate Division, to negotiate with property owners to acquire the additional rights of way necessary to complete this project; to authorize the expenditure of up to \$150,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$150,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord. 3287-2022 H&A Wheatland

Date	Ver.	Action By	Action	Result
12/7/2022	1	CITY CLERK	Attest	
12/6/2022	1	MAYOR	Signed	
12/5/2022	1	COUNCIL PRESIDENT	Signed	
12/5/2022	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance authorizes the City Attorney's Office, Real Estate Division to hire professional services and to negotiate with property owners to acquire the various property rights necessary to complete the Wheatland Avenue Improvements project in the Greater Hilltop Planning Area (53).

The Department of Public service is engaged in the Wheatland Avenue Improvements project. The project will consist of converting the roadway to two-way traffic and needed widening to provide for a parking lane on the west side. Improvements will consist of new curbs, sidewalks, storm sewer, electric distribution relocation, and street lighting.

The cost to acquire the right-of-way needed to complete the project is estimated at \$150,000.00. If the cost to acquire the needed right-of-way should exceed this estimate, additional legislation will be submitted to Council requesting the needed funding.

The Department of Public service is currently finalizing construction plans and is prepared to authorize right-of-way acquisition pending passage of this funding legislation.

### 2. FISCAL IMPACT

Funds in the amounts of \$150,000.00 are budgeted, available and appropriated for this project in Fund 7704, the Streets and Highways Bond Fund.

### 3. EMERGENCY DESIGNATION

Emergency action is requested to provide necessary right-of-way acquisition funding and prevent unnecessary delays in the Department of Public Service's Capital Improvement Program to ensure the safety of the traveling public.

To authorize the City Attorney's Office, Real Estate Division, to contract for professional services relative to the acquisition of fee simple title and lesser interests in and to property needed for the Wheatland Avenue Improvements project; to authorize the City Attorney's Office, Real Estate Division, to negotiate with property owners to acquire the additional rights of way necessary to complete this project; to authorize the expenditure of up to \$150,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$150,000.00)

**WHEREAS**, the City of Columbus is engaged in the Wheatland Avenue Improvements project; and

**WHEREAS**, the project will consist of converting the roadway to two-way traffic and needed widening to provide for a parking lane on the west side. Improvements will consist of new curbs, sidewalks, storm sewer, electric distribution relocation, and street lighting; and

**WHEREAS**, successful completion of this project necessitates the City acquire fee simple title and lesser interests in and to various properties located along the project corridor as additional rights-of-way; and

**WHEREAS**, right-of-way acquisition cost, including professional services, staff and land costs, have been estimated to total \$150,000.00; and

**WHEREAS**, this ordinance authorizes funding in the amount of up to \$150,000.00 for that purpose; and

**WHEREAS**, this ordinance authorizes the City Attorney's Office Real Estate Division to expend up to \$150,000.00, or so much thereof as may be necessary, to hire professional services and to negotiate with property owners to acquire the various property rights necessary to complete the Wheatland Avenue Improvements project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the necessary right-of-way acquisition for the project to prevent unnecessary delays in the Department of Public Service's Capital Improvement Program, to ensure the safety of the traveling public 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 the City Attorney's Office, Real Estate Division, be, and hereby is, authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate, to contract for professional services, and to negotiate with property owners to acquire the additional rights of way needed to complete the Wheatland Avenue Improvements project in an amount up to \$150,000.00.

**SECTION 2.** That the expenditure of \$150,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund) in Dept-Div 5912 (Design and Construction), Project P530303-100002 (Wheatland Avenue Improvements), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 3.** 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 4.** 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 5.** 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 6.** 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.