



## Legislation Details (With Text)

**File #:** 1341-2010      **Version:** 1

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

**File created:** 9/15/2010      **In control:** Public Service & Transportation Committee

**On agenda:** 10/4/2010      **Final action:** 10/6/2010

**Title:** To authorize the City Attorney's 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 Fifth Avenue Streetscape Improvements project; to authorize the City Attorney's Office, Real Estate Division, to negotiate with property owners and to acquire the additional rights-of-way necessary to complete this project; to authorize the expenditure of \$450,000.00 or so much thereof as may be necessary to acquire the rights-of-way needed for this project from the Build America Bonds Fund and to declare an emergency. (\$450,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1341ATT.pdf

Date	Ver.	Action By	Action	Result
10/6/2010	1	CITY CLERK	Attest	
10/5/2010	1	MAYOR	Signed	
10/4/2010	1	Columbus City Council	Approved	Pass
10/4/2010	1	COUNCIL PRESIDENT	Signed	
9/20/2010	1	Auditor Reviewer	Reviewed and Approved	
9/20/2010	1	CITY AUDITOR	Reviewed and Approved	
9/20/2010	1	Service Drafter	Sent for Approval	
9/20/2010	1	CITY ATTORNEY	Reviewed and Approved	
9/20/2010	1	Service Drafter	Sent to Clerk's Office for Council	
9/17/2010	1	Finance Reviewer	Reviewed and Approved	
9/17/2010	1	Finance Reviewer	Reviewed and Approved	
9/17/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
9/17/2010	1	Service Drafter	Sent for Approval	
9/16/2010	1	Service Reviewer	Reviewed and Approved	
9/16/2010	1	Service Drafter	Sent for Approval	
9/16/2010	1	SERVICE DIRECTOR	Reviewed and Approved	
9/16/2010	1	Service Drafter	Sent for Approval	
9/15/2010	1	Service Drafter	Sent for Approval	

### 1. BACKGROUND

The City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the Fifth Avenue Streetscape Improvements Project (2369 DR. E) which is the portion contained within the Milo Grogan neighborhood. The

approximate project limits are Fifth Avenue from Grant Avenue east to I-71 and Cleveland Avenue from Fourth Avenue north to New York Avenue. This is a Neighborhood Commercial Revitalization district and the purpose of this project is to widen existing roadway pavement at the intersection of Fifth and Cleveland Avenues to improve traffic flow; to remove and replace damaged and/or missing sidewalks, curbs and curb ramps with ADA compliant facilities; to make stormwater drainage improvements and to install improved street lighting. 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. Acquisition related expenses are currently estimated to be \$450,000.00.

## **2. FISCAL IMPACT**

Monies to pay for these costs are Budgeted and available within the Build America Bonds Fund.

## **3. EMERGENCY JUSTIFICATION**

The roadway, pedestrian and stormwater improvements contemplated by this project are essential to safety of those individuals traveling within this area and to future redevelopment of this area. Failure to complete right-of-way acquisition in a timely manner will delay the current construction schedule. Emergency action is requested to allow right-of-way acquisition and this project to remain on schedule.

To authorize the City Attorney's 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 Fifth Avenue Streetscape Improvements project; to authorize the City Attorney's Office, Real Estate Division, to negotiate with property owners and to acquire the additional rights-of-way necessary to complete this project; to authorize the expenditure of \$450,000.00 or so much thereof as may be necessary to acquire the rights-of-way needed for this project from the Build America Bonds Fund and to declare an emergency. (\$450,000.00)

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the Fifth Avenue Streetscape Improvements project which is contained within the Milo Grogan neighborhood; and

**WHEREAS**, the approximate project limits are Fifth Avenue from Grant Avenue east to I-71 and Cleveland Avenue from Fourth Avenue north to New York Avenue; and

**WHEREAS**, the purpose of this project is to widen existing roadway pavement at the intersection of Fifth and Cleveland Avenues to improve traffic flow; to remove and replace damaged and/or missing sidewalks, curbs and curb ramps with ADA compliant facilities; to make stormwater drainage improvements and to install improved street lighting; and

**WHEREAS**, 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; and

**WHEREAS**, acquisition related expenses are currently estimated to be \$450,000.00; and

**WHEREAS**, the following legislation authorizes the City Attorney's Real Estate Division to expend \$450,000.00 or so much thereof as may be necessary to allow the City Attorney's Office, Real Estate Division, to acquire those rights-of-way needed for this project; and

**WHEREAS**, the roadway and stormwater improvements contemplated by this project are essential to the safety of those individuals traveling within this area; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction in that failure to complete right-of-way acquisition in a timely manner will delay the current construction schedule therefore it is immediately necessary to authorize the City Attorneys' Office to acquire those rights-of-way needed for this project and to authorize the expenditure of the funds required to complete right-of-way acquisition on schedule 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 is hereby authorized to acquire fee simple title and lesser interests in and to property needed for the Fifth Avenue Streetscape Improvements Project.

**Section 2.** That the City Attorney's Office, Real Estate Division, be and is hereby authorized to expend \$450,000.00, or so much thereof as may be necessary from the Build America Bonds Fund as follows: Project 530058-100001, NCR - Milo Grogan; Department/Division 59-12; Minor Object 6601; OCA Code 765801; to pay those costs relative to the acquisition of rights-of-way

needed for the Fifth Avenue Streetscape Improvements project.

**Section 3.** 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 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.