



Legislation Text

File #: 3317-2022, **Version:** 1

1. BACKGROUND

The following 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 Roadway - Westbourne Avenue Extension project in the Far East Planning Area (58).

The Department of Public Service is engaged in the Roadway - Westbourne Avenue Extension project. This project consists of constructing, resurfacing, widening, new curb and gutter, sidewalks, drives, storm sewer system, and a shared use path on Westbourne Avenue from approximately 600 feet west of Taylor Station Road to Blossom Field Boulevard. This project will also include a roundabout and new alignment on McNaughten Road south of the roundabout.

The cost to acquire the right-of-way needed to complete the project is estimated at \$250,000.00. 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

Funding for this contract is available within Fund 4432 (Lucent Commercial TIF). Funds will need to be appropriated in Fund 4432, transferred to Fund 7432 (Lucent Commercial TIF Capital Fund), and then appropriated in Fund 7432. Project expenses will be paid from Fund 7432.

3. EMERGENCY DESIGNATION

Emergency action is requested so right-of-way can be acquired to allow construction to proceed as scheduled, preventing delays in the Department of Public Service's Capital Improvement Program, to ensure the safety of the traveling public.

To appropriate funds within the Lucent Commercial TIF; to transfer funds from the Lucent Commercial TIF to the Lucent Commercial TIF Capital Fund; to appropriate funds within the Lucent Commercial TIF Capital Fund; 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 Roadway - Westbourne Avenue Extension 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 \$250,000.00 from the Lucent Commercial TIF Capital Fund; and to declare an emergency. (\$250,000.00)

WHEREAS, the City of Columbus is engaged in the Roadway - Westbourne Avenue Extension project; and

WHEREAS, the project will include constructing, resurfacing, widening, new curb and gutter, sidewalks, drives, storm sewer system, and a shared use path on Westbourne Avenue from approximately 600 feet west of Taylor Station Road to Blossom Field Boulevard as well as a roundabout and new alignment on McNaughten Road south of the roundabout; 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 \$250,000.00; and

WHEREAS, this ordinance authorizes funding in the amount of \$250,000.00 for that purpose through the Department of Development; and

WHEREAS, funds in the amount of \$250,000.00 are available for this project in Fund 4432, Lucent Commercial TIF; and

WHEREAS, it is necessary to appropriate funds in Fund 4432, Lucent Commercial TIF; and

WHEREAS, it is necessary for Council to authorize a transfer of funds from Fund 4432, Lucent Commercial TIF, to Fund 7432, Lucent Commercial TIF Capital Fund, to establish sufficient cash to pay for the project; and

WHEREAS, it is necessary to appropriate funds in Fund 7432, Lucent Commercial TIF Capital Fund; and

WHEREAS, this ordinance authorizes the City Attorney's Office Real Estate Division to expend \$250,000.00, 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 Roadway - Westbourne Avenue Extension project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to establish the funds so right-of-way can be acquired to allow construction to proceed as scheduled, preventing 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 from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ended December 31, 2022, the sum of \$250,000.00 is appropriated in Fund 4432 (Lucent Commercial TIF), Dept-Div 4402 (Economic Development), in Object Class 10 (Transfer Out Operating) per the account codes in the attachment to this ordinance.

SECTION 2. That the transfer of \$250,000.00, or so much thereof as may be needed, is hereby authorized from Fund 4432 (Lucent Commercial TIF), Dept-Div 4402 (Economic Development) to Fund 7432 (Lucent Commercial TIF Capital Fund), Dept-Div 5912 (Design and Construction) per the account codes in the attachment to this ordinance.

SECTION 3. That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ended December 31, 2022, the sum of \$250,000.00 is appropriated in Fund 7432 (Lucent Commercial TIF Capital Fund), Dept-Div 5912 (Design and Construction), Project P531037-100000 (Roadway - Westbourne Ave Extension), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 4. 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 Roadway - Westbourne Avenue Extension project in an amount up to \$250,000.00.

SECTION 5. That the expenditure of \$250,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7432 (Lucent Commercial TIF Capital Fund), Dept-Div 5912 (Design and Construction), Project P531037-100000 (Roadway - Westbourne Ave Extension), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 6. 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 7. 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 8. 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 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.