



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 2/22/2012 **In control:** Public Service & Transportation Committee

On agenda: 3/19/2012 **Final action:** 3/21/2012

Title: To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, to authorize the appropriation of \$100,000.00 from the unappropriated balance in the Albany Crossing TIF Fund to the Albany Crossing TIF Fund, and to expend \$100,000.00 from the Albany Crossing TIF Fund, for additional right-of-way acquisition costs relative to the Warner Road Phase 1 project; and to declare an emergency. (\$100,000.00)

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|----------|--------|
| 3/21/2012 | 1 | ACTING CITY CLERK | Attest | |
| 3/20/2012 | 1 | MAYOR | Signed | |
| 3/19/2012 | 1 | COUNCIL PRESIDENT | Signed | |
| 3/19/2012 | 1 | Columbus City Council | Approved | Pass |

BACKGROUND

The City of Columbus, Department of Public Service, Division of Design and Construction ("City"), is engaged in the Warner Road Phase 1 project, Project No. 441100-100000/2765 DR. E. This project will construct sidewalks, shared use paths, a new storm sewer system, curbs, gutters, and street lighting within the project limits of Warner Road from 945 feet east of Ulry Road to 346 feet west of Hamilton Road. Initial acquisition funding for this project, in the amount of \$400,000.00, was authorized pursuant to Ordinance No. 0543-2011, passed April 25, 2011. This legislation authorized the City Attorney to contract for professional services and to acquire fee simple title and lesser interests in and to real property necessary to the project, with the understanding that more funding may be required in the future. It is now necessary that the City Attorney's Office be authorized to expend an additional \$100,000.00 in order to pay for costs relative to the acquisition of right-of-way necessary to the Warner Road Phase 1 project.

FISCAL IMPACT

The Department of Public Service, Division of Design and Construction has determined that the funding for this project will be from the unappropriated balance within the Albany Crossing TIF Fund.

EMERGENCY DESIGNATION

Construction plans for this roadway improvement project are complete and fully signed. Construction of this project is contingent upon completion of the right-of-way acquisition. Emergency action is requested so that right-of-way acquisition can be completed this year.

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, to

authorize the appropriation of \$100,000.00 from the unappropriated balance in the Albany Crossing TIF Fund to the Albany Crossing TIF Fund, and to expend \$100,000.00 from the Albany Crossing TIF Fund, for additional right-of-way acquisition costs relative to the Warner Road Phase 1 project; and to declare an emergency. (\$100,000.00)

WHEREAS, the City of Columbus, Department of Public Service, Division of Design and Construction ("City"), is engaged in the acquisition of right-of-way necessary to the Warner Road Phase 1 project; and

WHEREAS, this project will construct sidewalks, shared use paths, a new storm sewer system, curbs, gutters, and street lighting within the project limits of Warner Road from 945 feet east of Ulry Road to 346 feet west of Hamilton Road; and

WHEREAS, initial acquisition funding for this project, in the amount of \$400,000.00, was authorized pursuant to Ordinance No. 0543-2011, passed April 25, 2011; and

WHEREAS, this legislation authorized the City Attorney to contract for professional services and to acquire fee simple title and lesser interests in and to real property necessary to the project, with the understanding that more funding may be required in the future; and

WHEREAS, it is now necessary that the City Attorney's Office be authorized to expend an additional \$100,000.00, in order to pay for costs relative to the completion of right-of-way necessary to the Warner Road Phase 1 project; and

WHEREAS, the construction plans for this roadway improvement project have been completed and fully signed, construction of this project is contingent upon completion of the right-of-way acquisition that can be completed this year; 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 City Attorney to expend the additional funds necessary to complete acquisition of right-of-way needed for the Warner Road Phase 1 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 contract for professional services, and acquire fee simple title and lesser interests in and to certain parcels of real estate necessary to the Warner Road Phase 1 project; Project No. 441100-100000/2765 DR. E.

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, 2012, the sum of \$100,000.00, be and hereby is appropriated to the Development Department, Development Division, Albany Crossing TIF Fund; Fund 441, Dept./Div.44-01; Project No. 441100-100000; OCA Code 441100; Object Level Three 6601

SECTION 3. That all such sums set forth herein are hereby appropriated for such purposes.

SECTION 4. That the expenditure of \$ 100,000.00, or so much thereof as may be necessary from the Albany Crossing TIF Fund; Fund 441/Div.44-01; Project No. 441100-100000/2765 DR. E; OCA Code 441100; Object Level Three 6601, AC032267, for the aforesaid purpose is hereby authorized.

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 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.