



Legislation Details (With Text)

File #: 2466-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/27/2020 **In control:** Public Service & Transportation Committee

On agenda: 11/23/2020 **Final action:** 11/25/2020

Title: To appropriate funds within the Brewery District TIF Fund and within the Brewery District Fund; to transfer cash between the Brewery District TIF Fund and the Brewery District Fund; to authorize the City Attorney's Office to contract for professional services and to negotiate with property owners to acquire right-of-way needed for the Roadway Improvements - Short Street - Liberty to Sycamore Street project; to authorize the expenditure of up to \$100,000.00 from the Brewery District Fund for these acquisitions; and to declare an emergency. (\$100,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 2466-2020 Legislation Template

Date	Ver.	Action By	Action	Result
11/25/2020	1	CITY CLERK	Attest	
11/24/2020	1	MAYOR	Signed	
11/23/2020	1	COUNCIL PRESIDENT	Signed	
11/23/2020	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This ordinance authorizes additional funding to acquire the various property rights necessary to complete the Roadway Improvements - Short Street - Liberty to Sycamore Street project in an amount up to \$100,000.00.

The Department of Public Service is engaged in the Roadway Improvements - Short Street - Liberty to Sycamore Street project. The project includes extending Short Street from Liberty Street south to make a connection with Sycamore Street. It also includes a five-foot wide sidewalk on the east side of Short Street and an eight-foot wide shared use path on the west side of Short Street, with drainage improvements and pervious pavers.

Ordinance 1684-2019 authorized the City Attorney's Office to hire professional services and to negotiate with property owners to acquire the various property rights necessary to complete the Roadway Improvements - Short Street - Liberty to Sycamore Street project. Funding in the amount of \$100,000.00 was established to acquire the needed property rights.

Ordinance 1340-2020 authorized additional funding in the amount of \$250,000.00 necessary to acquire the needed right-of-way due to appraisals for the land to be acquired coming back much higher than anticipated. It stated additional legislation would be submitted to Council requesting more funding if the amount needed should exceed the amount currently estimated to complete the acquisitions.

This ordinance requests \$100,000.00 to complete the acquisitions. This additional funding is necessary due to a higher than expected proposed land costs from the appraisals, along with additional costs for staff, settlements, and possible court costs. 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 ordinance.

2. FISCAL IMPACT

Funds in the amount of \$100,000.00 are available within the Brewery District TIF, Fund 4409. It is necessary to transfer funds from the Brewery District TIF to the Brewery District Fund, Fund 7740, for the funds to be expended for this acquisition. Funds will need to be appropriated within Fund 4409 to do the transfer and within Fund 7740 so they can be expended.

3. EMERGENCY DESIGNATION

Emergency action is requested so right-of-way can be acquired to allow construction to proceed as scheduled.

To appropriate funds within the Brewery District TIF Fund and within the Brewery District Fund; to transfer cash between the Brewery District TIF Fund and the Brewery District Fund; to authorize the City Attorney's Office to contract for professional services and to negotiate with property owners to acquire right-of-way needed for the Roadway Improvements - Short Street - Liberty to Sycamore Street project; to authorize the expenditure of up to \$100,000.00 from the Brewery District Fund for these acquisitions; and to declare an emergency. (\$100,000.00)

WHEREAS, the City of Columbus is engaged in the Roadway Improvements - Short Street - Liberty to Sycamore Street project; and

WHEREAS, the project will include extending Short Street from Liberty Street south to make a connection with Sycamore Street. It also includes a five-foot wide sidewalk on the east side of Short Street and an eight-foot wide shared use path on the west side of Short Street, with drainage improvements and pervious pavers; 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, are now estimated to exceed the \$350,000.00 currently allocated to acquisition costs for this project; and

WHEREAS, cash is available within the Brewery District TIF, Fund 4409, to fund the additional acquisition costs and will need to be transferred to the Brewery District Fund, Fund 7740, to be expended; and

WHEREAS, funds will need to be appropriated within the Brewery District TIF and the Brewery District Fund; and

WHEREAS, the City Attorney's Office needs to be authorized to expend an additional \$100,000.00, 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 Improvements - Short Street - Liberty to Sycamore Street project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to acquire the needed right-of-way to allow construction to proceed as scheduled, 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, 2020, the sum of \$100,000.00 is appropriated in Fund 4409 (Brewery District TIF Fund), 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 \$100,000.00 or so much thereof as may be needed, is hereby authorized from Fund 4409 (Brewery District TIF Fund), Dept-Div 4402 (Economic Development) to Fund 7740 (Brewery District 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, 2020, the sum of \$100,000.00 is appropriated in Fund 7740 (Brewery District Fund), Dept-Div 5912 (Design and Construction), Project P530161-100184 (Roadway Improvements - Short Street - Liberty to Sycamore Street), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 4. That the City Attorney's Office 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 Improvements - Short Street - Liberty to Sycamore Street project in an amount up to \$100,000.00.

SECTION 5. That the expenditure of \$100,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7740 (Brewery District Fund) in Dept-Div 5912 (Design and Construction), Project P530161-100184 (Roadway Improvements - Short Street - Liberty to Sycamore Street), 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.