



Legislation Text

File #: 1458-2022, **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 Miscellaneous Developments - American Addition Phase 4 project in the North Central Planning Area (49).

The Department of Public Service is engaged in the Miscellaneous Developments - American Addition Phase 4 project. The project consists of the reconstruction of all the streets and alleys of the American Addition subdivision within the limits of the subdivision. All streets shall include new roadways, sidewalks, landscaping, storm water, water line, sanitary sewer service stubs, street lighting and other necessary traffic control devices.

The cost to acquire the right-of-way needed to complete the project is estimated at \$300,000.00. 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 \$300,000.00 are budgeted within the 2021 Capital Improvements Budget, Fund 7704, Streets and Highways Bond Fund, which has been approved by Council under Ordinance 2707-2021. Funds have been appropriated.

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 Miscellaneous Developments - American Addition Phase 4 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 \$300,000.00 from the Streets & Highways Bond Fund; and to declare an emergency. (\$300,000.00)

WHEREAS, the City of Columbus is engaged in the Miscellaneous Developments - American Addition Phase 4 project; and

WHEREAS, the project will include consists of the reconstruction of all the streets and alleys of the American Addition subdivision within the limits of the subdivision; 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 \$300,000.00; and

WHEREAS, this ordinance authorizes funding in the amount of \$300,000.00 for that purpose; and

WHEREAS, this ordinance authorizes the City Attorney's Office Real Estate Division to expend \$300,000.00, 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 Miscellaneous Developments - American Addition Phase 4 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 City Attorney's Office to acquire the necessary right-of-ways 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 Miscellaneous Developments - American Addition Phase 4 project in an amount up to \$300,000.00.

SECTION 2. That the expenditure of \$300,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets & Highways Bond Fund) in Dept-Div 5912 (Design and Construction), Project P590131-100023 (Miscellaneous Developments - American Addition Phase 4), 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.