



## Legislation Text

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**File #: 2440-2022, Version: 1**

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### **1. BACKGROUND**

This ordinance authorizes the establishment of a hire & acquire fund that will be used by the City Attorney's Office, Real Estate Division, to acquire an approximate 10 acre property, being all of tax parcel number 010-005386, needed for the Roadway Improvements - Stormwater Regional Basin (Eastland) project. This property is located behind the old Eastland Mall development, generally west of Hamilton Road and north of Refugee Road, and just west of the Kimberly Parkway East roadway.

The Department of Public Service is engaged in the Roadway Improvements - Stormwater Regional Basins project. The project will construct regional stormwater basins within watersheds that have upcoming projects in order to meet the Stormwater Drainage Manual requirements. The City Attorney's Office, Real Estate Division, will acquire the property rights required for the performance of the project. The City Attorney's Office may negotiate directly with the property owner. The funds established with this ordinance will pay for the use of professional services and for the acquisition of the property rights.

The cost to acquire the property rights is currently estimated at \$300,000.00. If the cost to acquire the needed property rights should exceed this estimate, an additional ordinance will be submitted to Council requesting the needed funding.

### **2. FISCAL IMPACT**

Funding in the amount of \$300,000.00 is available and appropriated for this expenditure in Fund 7704, the Streets and Highways Bond Fund.

### **3. EMERGENCY DESIGNATION**

Emergency action is requested to provide necessary property rights acquisition funding and prevent unnecessary delays in the Department of Public Service's Capital Improvement Program.

To authorize the City Attorney's Office to contract for professional services relative to the acquisition of property rights needed for the Roadway Improvements - Stormwater Regional Basins project; to authorize the City Attorney's Office to negotiate with property owners to acquire the additional property rights necessary to complete this project; to authorize the expenditure of up to \$300,000.00 from the Streets and Highways Bond Fund for this project; and to declare an emergency. (\$300,000.00)

**WHEREAS**, the City of Columbus is engaged in the Roadway Improvements - Stormwater Regional Basins project; 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; and

**WHEREAS**, 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 Roadway Improvements - Stormwater Regional Basins 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 property rights acquisition for the project to prevent unnecessary delays in the Department of Public Service's Capital Improvement Program, 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 property rights needed to complete the Roadway Improvements - Stormwater Regional Basins 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 and Highways Bond Fund) in Dept-Div 5912 (Design and Construction), Project P530161-100195 (Roadway Improvements - Stormwater Regional Basins), 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.