



## Legislation Details (With Text)

**File #:** 1300-2015      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/6/2015      **In control:** Public Service & Transportation Committee

**On agenda:** 6/1/2015      **Final action:** 6/3/2015

**Title:** To authorize the City Attorney's Office, Real Estate Division, to contract for professional services and negotiate with property owners to acquire the additional rights of way necessary to complete the Bridge and Trail Improvements-West Fifth Ave from McKinley Ave to Dublin Rd Project; to authorize the expenditure of \$15,000.00 from the Recreation and Parks Voted Bond fund; and to declare an emergency. (\$15,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/3/2015	1	CITY CLERK	Attest	
6/2/2015	1	MAYOR	Signed	
6/1/2015	1	COUNCIL PRESIDENT	Signed	
6/1/2015	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

The following legislation 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 Bridge and Trail Improvements -West Fifth Avenue from McKinley Avenue to Dublin Road project.

This is a joint project between the Department of Public Service and the Recreation and Parks Department that will receive construction funding from ODOT Municipal Bridge Program and MORPC Transportation Enhancements. The ODOT designated name for this project is FRA-Scioto Trail/Fifth Avenue Connector (PID 90382). Recreation and Parks Department's project name is Bikeway Improvements - Dublin Road to McKinley.

Work on this project includes replacing the existing bridge with a wider bridge over the Scioto River and a multi-use path on the south side of Fifth Avenue for the West 5th Scioto Trail between Dublin Rd. and McKinley Ave.; pavement resurfacing for the entire limits except where reconstruction is needed to transition to the new bridge; addition of curb and gutter, sidewalk on the north side of Fifth Avenue, street lighting, and street trees for the entire limits; curb ramps as necessary; public and private utility work as needed; and stormwater improvements.

Ordinance No. 0775-2014 authorized initial right-of-way acquisition funding for this project, in the amount of \$250,000.00, and passed April 22, 2014. Ordinance No.2431-2014 authorized additional funding for right of way acquisition in the amount of \$100,000.00 and passed November 10, 2014. It is now necessary for the City Attorney's Office to expend an additional \$15,000.00 in order to pay for costs relative to the acquisition of right-of-way necessary for the project.

### 2. FISCAL IMPACT

The estimated total cost for right-of-way acquisition additional funding is \$15,000.00.

Funds in the amount of \$15,000.00 are available for this project in the Recreation and Parks Voted Bond Fund.

### 3. EMERGENCY DESIGNATION

To prevent unnecessary delays in the Departments of Public Service's and Recreation and Park's Capital Improvement Programs emergency action is necessary to provide right-of-way acquisition funding.

To authorize the City Attorney's Office, Real Estate Division, to contract for professional services and negotiate with property owners to acquire the additional rights of way necessary to complete the Bridge and Trail Improvements-West Fifth Ave from McKinley Ave to Dublin Rd Project; to authorize the expenditure of \$15,000.00 from the Recreation and Parks Voted Bond fund; and to declare an emergency. (\$15,000.00)

**WHEREAS**, the City of Columbus, Departments of Public Service and Recreation and Parks, is engaged in the Bridge and Trail Improvements - West Fifth Avenue from McKinley Avenue to Dublin Road project (the "Project"); and

**WHEREAS**, this Project will replace the existing bridge with a wider bridge over the Scioto River and a multi-use path on the south side of Fifth Avenue for the West 5th Scioto Trail between Dublin Rd. and McKinley Ave.; pavement resurfacing for the entire limits except where reconstruction is needed to transition to the new bridge; addition of curb and gutter, sidewalk on the north side of Fifth Avenue, street lighting, and street trees for the entire limits; curb ramps as necessary; public and private utility work as needed; and stormwater improvements; and

**WHEREAS**, initial acquisition funding for this project, in the amount of \$250,000.00, was authorized pursuant to Ordinance No. 0775-2014, passed April 22, 2014, and Ordinance No.2431-2014 authorized additional funding for right of way acquisition in the amount of \$100,000.00 and passed November 10, 2014; and

**WHEREAS**, this ordinance authorizes the City Attorney's Office Real Estate Division to expend an additional \$15,000.00 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 Project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Departments of Public Service and Recreation and Parks in that it is immediately necessary to authorize funding for the necessary right-of-way acquisitions for the Project, 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 Bridge and Trail Improvements - West Fifth Avenue from McKinley Avenue to Dublin Road project.

**SECTION 2.** That for the purpose of paying the cost of this contract the sum of up to \$15,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Recreation and Parks Voted Bond fund as follows:

**Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount**

702 / 510316-100022 / Greenways - Scioto, River's Edge to Fifth Ave. / 06-6601 / 731622 / \$15,000.00

**SECTION 3.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated 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.