



Legislation Details (With Text)

File #: 1457-2012 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 6/25/2012 **In control:** Public Service & Transportation Committee
On agenda: 7/30/2012 **Final action:** 8/1/2012

Title: To authorize the City Attorney's 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 Operation Safewalks - Marion Road and Arterial Street Rehabilitation - Lockbourne Road-Frebis Road-SR104 projects; to authorize the City Attorney's Office, Real Estate Division, to negotiate with property owners and to acquire the additional rights-of-way necessary to complete these projects; to amend the 2012 C.I.B; to authorize the transfer of funds and expenditure of \$435,000.00 or so much thereof as may be necessary for these projects from the Streets and Highways G.O. Bonds Fund for the Division of Design and Construction and the Storm Recovery Zone Super Build America Bonds Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$435,000.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
8/1/2012	1	CITY CLERK	Attest	
7/31/2012	1	MAYOR	Signed	
7/30/2012	1	COUNCIL PRESIDENT	Signed	
7/30/2012	1	Columbus City Council	Approved	Pass

1. BACKGROUND

The City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the Operation Safewalks - Marion Road Project (590955-100006/2601 DR. E) and Arterial Street Rehabilitation - Lockbourne Road-Frebis Road-SR104 Project (530103-100018/2746 DR. E).

The project limits for Marion Road are from Parsons Avenue to Lockbourne Road.

This project includes curbing, sidewalk on both sides of Marion Road, ADA curb ramps, and storm sewer improvements.

The construction plans have been finalized and the Department of Public Service is prepared to authorize right-of-way acquisition pending passage of this funding legislation. Acquisition related expenses are currently estimated to be \$75,000.00.

The project limits for Lockbourne Road-Frebis Road-SR104 are Lockbourne Road from Frebis Avenue to SR 104.

This project will perform storm sewer improvements, sidewalk on both sides of Lockbourne Road, and ADA curb ramps. The construction plans have been finalized and the Department of Public Service is prepared to authorize right-of-way acquisition pending passage of this funding legislation. Acquisition related expenses are currently estimated to be \$360,000.00. (added \$85,000.00 for DPU contribution to R/W)

The roadway, pedestrian and stormwater improvements contemplated by these projects are essential to the safety of those individuals living and traveling within the areas. The Division of Sewerage and Drainage (DOSD) decided to upgrade the system within these areas. The Department of Public Service (DPS) decided to partner with the Department of Public

Utilities (DPU) by joining forces between DPU and DPS, these projects will be economically feasible.

2. FISCAL IMPACT

Monies to pay for these costs are available within the Streets and Highways G.O. Bonds Fund for the Division of Design and Construction. A transfer of \$35,000.00 is needed to provide sufficient cash for this project within the Storm Build America Bonds Fund for the Division of Sewerage and Drainage. An amendment to the 2012 Capital Improvements Budget will also be necessary. This ordinance is contingent on the 2012 Bond Sale.

3. EMERGENCY DESIGNATION

Emergency action is requested to allow right-of-way acquisition to begin as soon as possible.

Failure to complete right-of-way acquisition in a timely manner will delay the construction if these Operation Safewalks and Arterial Street Rehabilitation projects.

To authorize the City Attorney's 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 Operation Safewalks - Marion Road and Arterial Street Rehabilitation - Lockbourne Road-Frebis Road-SR104 projects; to authorize the City Attorney's Office, Real Estate Division, to negotiate with property owners and to acquire the additional rights-of-way necessary to complete these projects; to amend the 2012 C.I.B; to authorize the transfer of funds and expenditure of \$435,000.00 or so much thereof as may be necessary for these projects from the Streets and Highways G.O. Bonds Fund for the Division of Design and Construction and the Storm Recovery Zone Super Build America Bonds Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$435,000.00)

WHEREAS, the City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the operation Safewalks - Marion Road and Arterial Street Rehabilitation - Lockbourne Road-Frebis Road-SR104 projects; and

WHEREAS, the project limits are Marion Road from Parsons Avenue to Lockbourne Road and Lockbourne Road from Frebis Avenue to SR 104; and

WHEREAS, the purpose of these projects is curb, sidewalks and storm sewer improvements; and

WHEREAS, the roadway, pedestrian and stormwater improvements contemplated by these projects are essential to the safety of those individuals living and traveling within this area; and

WHEREAS, construction plans have been finalized and the Department of Public Service is prepared to authorize right-of-way acquisition pending passage of this funding legislation; and

WHEREAS, acquisition related expenses are currently estimated to be \$435,000.00; and

WHEREAS, the following legislation authorizes the City Attorney's Real Estate Division to expend \$435,000.00 or so much thereof as may be necessary to acquire those rights-of-way needed for these projects; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction in that failure to complete right-of-way acquisition in a timely manner will delay the construction of this Operation Safewalks and Arterial Street Rehabilitation projects therefore it is immediately necessary to authorize City Attorney's office to acquire those rights-of-way needed for this project and to authorize the expenditure of the funds required to complete right-of-way acquisition thereby immediately 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 Attorneys' Office, Real Estate Division, be and is hereby authorized to acquire fee simple title and lesser interests in and to property needed for the Operation Safewalks - Marion Road and Arterial Street

Rehabilitation - Lockbourne Road-Frebis Road-SR104 projects.

SECTION 2. That the 2012 C.I.B authorized by Ordinance 0368-2012 be amended as follows to provide sufficient authority for these activities as follows:

Division of Sewerage and Drainage: 60-15

676 / 610771-100000 / Marion Road Storm Sewer / \$80,000.00 / (\$35,000.00) / \$45,000.00

676 / 610772-100000 / Lockbourne Road Storm Sewer / \$50,000.00 / \$35,000.00 / \$85,000.00

SECTION 3. That the transfer of cash and appropriation be authorized as follows:

Division of Sewerage and Drainage: 60-15

Transfer from

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

676 / 610771-100000 / Marion Road Storm Sewer / 06-6600 / 685771 / \$35,000.00

Transfer to

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

676 / 610772-100000 / Lockbourne Road Storm Sewer / 06-6600 / 685772 / \$35,000.00

SECTION 4. That the City Attorney's Office, Real Estate Division, be and is hereby authorized to expend \$435,000.00, or so much thereof as may be necessary from the Streets and Highways G.O. Bonds Fund, Fund No. 704, and the Storm Build America Bonds Fund, Fund No. 676, for the Division of Sewerage and Drainage to pay those costs relative to the acquisition of rights-of-way needed for the Operation Safewalks - Marion Road and the Arterial Street Rehabilitation - Lockbourne Road-Frebis Road-SR104 Projects as follows:

Division of Design and Construction: 59-12

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

704 / 590955-100006/ Operation Safewalks - Marion Road / 06-6601 / 745506 / \$100,000.00

704 / 530103-100018/ Arterial Street Rehabilitation - Lockbourne Road-Frebis Road-SR104 / 06-6601 / 740318 / \$250,000.00

Division of Sewerage and Drainage: 60-15

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

676 / 610772-100000 / Lockbourne Road Storm Sewer / 06-6601 / 685772 / \$85,000.00

SECTION 5. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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 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.