



## Legislation Text

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**File #: 1332-2010, Version: 1**

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### **1. BACKGROUND:**

The Department of Public Service, Division of Design and Construction, in cooperation with the Development Department, Economic Development Division, uses Urban Infrastructure Recovery Fund (UIRF) money to design and construct projects that enhance economic growth within the City. Past UIRF projects have included streetscape enhancements and roadway improvements.

Occasionally these UIRF projects require that the Division of Design and Construction acquire additional permanent and temporary right-of-way for installation of streetlights, street trees, sidewalks and Americans with Disabilities Act (ADA) compliant curb ramps. In 2005, the Development Department and the Department of Public Service cooperated to establish and legislate a \$100,000.00 right-of-way contingency fund that was used to expedite these small acquisitions by the City Attorney's Office, Real Estate Division. This fund has a current balance of approximately \$13,000.00. The Development Department has requested this money be used to begin acquisition of the rights-of-way needed for the Hamilton Avenue & St. Clair Avenue Improvements (East Long Street to Old Leonard Avenue) Project.

At this time, the Development Department and the Department of Public Service desire to establish an additional \$50,000.00 UIRF right-of-way acquisition contingency fund. A portion of this \$50,000.00 will be used by the City Attorney's Office to complete acquisition of the rights-of-way needed for the Hamilton Avenue & St. Clair Avenue project. The remainder of this money will be used in the same manner as the original contingency fund by the City Attorney's Office, Real Estate Division, to acquire small parcels of additional right-of-way for miscellaneous UIRF projects when requested to do so by the Department of Public Service, Division of Design and Construction.

### **2. FISCAL IMPACT:**

The following legislation establishes a \$50,000.00 UIRF right-of-way acquisition contingency fund and authorizes the City Attorney to expend said funds to acquire small parcels of additional right-of-way for miscellaneous UIRF projects when requested to do so by the Department of Public Service. Monies to pay for these costs are available in the 2010 CIB within the Governmental Build America Bonds Fund, No. 746.

### **3. EMERGENCY JUSTIFICATION:**

A portion of this money will be used to complete acquisition of the rights-of-way needed for the Hamilton Avenue & St. Clair Avenue Improvements (East Long Street to Old Leonard Avenue) Project. To keep this project on schedule it is essential the City Attorney's Office, Real Estate Division be authorized to hire professional services, acquire the rights-of-way and expend the funds necessary to complete acquisitions as soon as possible.

To authorize the establishment of a \$50,000.00 Urban Infrastructure Recovery Fund right-of-way acquisition contingency fund to be used to acquire small parcels of additional right-of-way for miscellaneous UIRF projects as requested by the Department of Public Service, Division of Design and Construction; to amend the 2010 Capital Improvement Budget; to transfer cash between projects in the same fund; to authorize the City Attorney's Office, Real Estate Division, to expend \$50,000.00 from the Governmental Build America Bonds Fund 746 for these miscellaneous acquisitions and to declare an emergency. (\$50,000.00)

**WHEREAS**, the Department of Public Service, Division of Design and Construction, in cooperation with the Development Department, Economic Development Division, uses Urban Infrastructure Recovery Funds (UIRF) to design and construct projects that enhance economic growth within the City; and

**WHEREAS**, past UIRF projects have included streetscape enhancements and roadway improvements; and

**WHEREAS**, occasionally these projects require the acquisition of small parcels of additional right-of-way; and

**WHEREAS**, in 2005, the Development Department and the Department of Public Service cooperated to establish and legislate a \$100,000.00 right-of-way contingency fund that was used to expedite these small acquisitions by the City Attorney's Office, Real

Estate Division; and

**WHEREAS**, this fund has a current balance of approximately \$13,000.00; and

**WHEREAS**, the Development Department has requested this money be used to begin acquisition of the rights-of-way needed for the Hamilton Avenue & St. Clair Avenue Improvements (East Long Street to Old Leonard Avenue) Project; and

**WHEREAS**, at this time, the Development Department and the Department of Public Service desire to establish an additional \$50,000.00 UIRF right-of-way acquisition contingency fund; and

**WHEREAS**, a portion of this \$50,000.00 will be used by the City Attorney's Office to complete acquisition of the rights-of-way needed for the Hamilton Avenue & St. Clair Avenue project; and

**WHEREAS**, the remainder of this money will be used in the same manner as the original contingency fund by the City Attorney's Office, Real Estate Division, to acquire small parcels of additional right-of-way for miscellaneous UIRF projects when requested to do so by the Department of Public Service, Division of Design and Construction; and

**WHEREAS**, cash must be transferred between projects and the 2010 Capital Improvement Budget amended accordingly so that funds are available under Project 440005-100018 in the Governmental Build America Bonds Fund 746 to establish a UIRF right-of-way acquisition contingency fund to be used by the City Attorney's Office, Real Estate Division, to acquire small parcels of additional right-of-way for miscellaneous UIRF projects when requested to do so by the Public Service Department, Transportation Division; and

**WHEREAS**, in order to maintain the schedule of the Hamilton Avenue & St. Clair Avenue Improvements (East Long Street to Old Leonard Avenue) Project; now therefore

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Design and Construction in that it is immediately necessary to maintain the schedule of the Hamilton Avenue & St. Clair Avenue Improvements (East Long Street to Old Leonard Avenue) Project and provide funding for right of way for other projects as needed, 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 2010 Capital Improvement Budget established within Ordinance 0564-2010, be and hereby is amended as follows:

**Fund / Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount**  
746 / 440005-100001 / Urban Infra - 18<sup>th</sup>, 20<sup>th</sup>, St Clair Corridor / \$850,000 / (\$30,000) / \$820,000  
746 / 440005-100018 / Urban Infra - St Clair Gateway / \$20,000 / \$30,000 / \$50,000

**Section 2.** That the transfer of monies within the Governmental Build America Bonds Fund 746 be authorized as follows:

**TRANSFER FROM:**

**Fund / Dept-Div / Project Number / Project / Object Level One / OCA Code / Amount**  
746 / 59-12 / 440005-100001 / Urban Infra - 18<sup>th</sup>, 20<sup>th</sup>, St Clair Corridor / 06 / 765901 / \$30,000

**TRANSFER TO:**

**Fund / Dept-Div / Project Number / Project / Object Level One / OCA Code / Amount**  
746 / 59-12 / 440005-100018 / Urban Infra - St Clair Gateway / 06 / 765918 / \$30,000

**Section 3.** That the City Attorney's Office, Real Estate Division, be and hereby is authorized to acquire small parcels of additional right-of-way for miscellaneous UIRF projects when requested to do so by the Department of Public Service, Division of Design and Construction.

**Section 4.** That the City Attorney's Office, Real Estate Division, be and is hereby authorized to expend \$50,000.00, or so much

thereof as may be necessary from the Governmental Build America Bonds Fund 746 as follows: Project 440005-100018; Department/Division 59-12; Minor Object 6601; OCA Code 765918; to pay these costs.

**Section 5.** 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.