



Legislation Text

File #: 1428-2021, **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 Arterial Street Rehabilitation - E. Broad Street Widening Phase I project (P530103-100061) in the Far East Planning Area (58).

The Department of Public service is engaged in the Arterial Street Rehabilitation - E. Broad Street Widening project consisting of two phases. The project's two phases will widen East Broad Street from east of I-270 to Reynoldsburg-New Albany Road. This legislation seeks to authorize expenditures to acquire various property rights for the first phase, which will construct new pavement for the widening and resurfacing of the existing pavement from the I-270 interchange to Outerbelt Street and will also include traffic signal improvements; addition of a shared use path, sidewalk, street lighting, street trees, signal interconnect conduit; and incidental improvements such as drainage, traffic control, sediment and erosion control, water adjustments, and maintenance of traffic.

The cost to acquire the right-of-way needed to complete the first phase of the project is estimated at \$2,200,000.00. 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

Funding for the amount of \$1,320,000.00 is available in the form of a grant from the Ohio Department of Transportation, which will partially fund right-of-way acquisition from the Federal Transportation Grants Fund, Fund 7765.

Through the Department of Development, Public Service will contribute the local share for right-of-way acquisition, \$880,000.00, from the E. Broad Commercial TIF Capital Fund, Fund 7431. Funds are available in Project P431999-100000 and will need to be transferred to P530103-100061. The funds will also need to be 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 Auditor to appropriate \$1,320,000.00 within the Federal Transportation Grants Fund; to transfer cash and appropriate funds within the East Broad Commercial TIF Capital Fund; 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 Arterial Street Rehabilitation - E. Broad Street Widening Phase I 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 \$1,320,000.00 from the Federal Transportation Grants Fund and \$880,000.00 from the East Broad Commercial TIF Capital Fund; and to declare an emergency. (\$2,200,000.00)

WHEREAS, the City of Columbus is engaged in the Arterial Street Rehabilitation - E. Broad Street Widening project, which has two phases that will include widening East Broad Street from east of I-270 to Reynoldsburg-New Albany Road; and

WHEREAS, the first phase (P530103-100061) will construct new pavement for the widening and resurfacing of the

existing pavement from the I-270 interchange east to Outerbelt Street; and

WHEREAS, successful completion of this project necessitates the City to 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 \$2,200,000.00; and

WHEREAS, Federal Transportation Grant funds will be used to pay for a portion of this project; and

WHEREAS, additional funding for the local share is available within the E. Broad Commercial TIF Capital Fund, Fund 7431, through the Department of Development; and

WHEREAS, it is necessary to authorize the City Auditor to appropriate for the expenditure of \$1,320,000.00 within the Federal Transportation Grants Fund, Fund 7765; and

WHEREAS, it is also necessary to authorize the City Auditor to transfer cash between projects to establish sufficient cash for the project and to appropriate for the expenditure of \$880,000.00 within the E. Broad Commercial TIF Fund, Fund 7431; and

WHEREAS, this ordinance authorizes the City Attorney's Office Real Estate Division to expend \$2,200,000.00, 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 Arterial Street Rehabilitation - E. Broad Street Widening Phase I 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 necessary right-of-way acquisition 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 transfer of \$880,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7431 (E. Broad Commercial TIF Capital Fund), from Dept-Div 4402 (Economic Development), Project P431999-100000 (E. Broad TIF Unallocated), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530103-100061 (Arterial Street Rehabilitation - E. Broad Street Widening), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 2. That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2021, the sum of \$1,320,000.00 is appropriated in Fund 7765 (Federal Transportation Grants Fund), Dept-Div 5912 (Design and Construction), Grant G592103 (East Broad Street 105734), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 3. That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ended December 31, 2021, the sum of \$880,000.00 is appropriated in Fund 7431 (E. Broad Commercial TIF Capital Fund), Dept-Div 5912 (Design and Construction), Project P530103-100061 (Arterial Street Rehabilitation - E. Broad Street Widening), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 4. 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 Arterial Street Rehabilitation - E. Broad Street Widening Phase I project in an amount up to \$2,200,000.00.

SECTION 5. That the expenditure of \$1,320,000.00, or so much thereof as may be needed, is hereby authorized in 7765 (Federal Transportation Grants Fund), Dept-Div 5912 (Design and Construction), Grant G592103 (East Broad Street 105734), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 6. That the expenditure of \$880,000.00, or so much thereof as may be needed, is hereby authorized in Fund Fund 7431 (E. Broad Commercial TIF Capital Fund), Dept-Div 5912 (Division of Design and Construction), Project P530103-100061 (Arterial Street Rehabilitation - E. Broad Street Widening), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 7. 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 8. 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 9. 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 10. At the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

SECTION 11. 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.