



## Legislation Text

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**File #:** 0290-2015, **Version:** 1

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### **1. BACKGROUND**

This ordinance authorizes the 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 Pedestrian Safety Improvements - Fairwood Avenue Sidewalks project.

The purpose of this project is to construct new sidewalks, including curb ramps, on the east side of Fairwood Avenue from Moler Avenue to Whittier Street, located in the Near South Community Planning Area (CPA 22). Successful completion of this project necessitates that the City acquire fee simple title and lesser interests in and to various properties along the project corridor as additional rights-of-way.

### **2. FISCAL IMPACT**

Funds in the amount of \$115,000.00 are available for this project in the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2014 Capital Improvement Budget is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

### **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 amend the 2014 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond 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 Pedestrian Safety Improvements - Fairwood Avenue Sidewalks 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 \$115,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$115,000.00)

**WHEREAS**, the City of Columbus is engaged in the Pedestrian Safety Improvements - Fairwood Avenue Sidewalks project; and

**WHEREAS**, the purpose of this project is to construct sidewalks on the east side of Fairwood Avenue between Moler Avenue and Whittier Street; 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 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 \$115,000.00; 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, 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 2014 Capital Improvement Budget authorized by Ordinance 0683-2014 be amended as follows to establish sufficient authority for this project:

Fund / Project / Project Name / Current / Change / Amended  
704 / 590105-100000 / Pedestrian Safety Improvements (Voted 2013) / \$1,390,299.00 / \$65,000.00 / \$1,325,299.00  
704 / 590105-100072 / Pedestrian Safety Improvements - Fairwood Avenue Sidewalks (Voted 2013) / \$50,000.00 / \$65,000.00 / \$115,000.00

**SECTION 2.** That the City Auditor be and is hereby authorized to transfer cash and appropriation within the Streets and Highways G.O. Bond Fund, No. 704, as follows:

Transfer from:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
704 / 590105-100000 / Pedestrian Safety Improvements / 06-6682 / 593089 / \$65,000.00

Transfer to:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
704 / 590105-100072 / Pedestrian Safety Improvements - Fairwood Avenue Sidewalks / 06-6682 / 750572 / \$65,000.00

**SECTION 3.** 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 Pedestrian Safety Improvements - Fairwood Avenue Sidewalks project.

**SECTION 4.** That for the purpose of paying those costs relative to the acquisition of right-of-ways needed for the Pedestrian Safety Improvements - Fairwood Avenue Sidewalks project the sum of up to \$115,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways Bond Fund, Fund 704, as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
704 / 590105-100072 / Pedestrian Safety Improvements - Fairwood Avenue Sidewalks / 06-6682 / 750572 / \$115,000.00

**SECTION 5.** 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 6.** 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 7.** 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 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.