



Legislation Text

File #: 3215-2023, **Version:** 1

1. BACKGROUND

The following ordinance authorizes the City Attorney's Office, Real Estate Division to hire professional services (e.g. surveys, title work, appraisals, etc.) and to negotiate with property owners to acquire the various property rights necessary to complete the Resurfacing - Urban Paving - FRA-23-15.31 PID 106095 project in the University District Planning Area (44).

The Department of Public service is engaged in the Resurfacing - Urban Paving - FRA-23-15.31 PID 106095 project. The project will resurface US23 Indianola Avenue between Hudson Street to North Broadway. The project will include bike facilities, curb and sidewalk replacement from Hudson Street to North Broadway. This project is eligible for federal grant funding through the Ohio Department of Transportation. Final approval agreement is pending upon approval of construction plans.

The cost to acquire the right-of-way needed to complete the project is estimated at \$60,000.00. 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

Funds in the amounts of \$60,000.00 are available and appropriated for this project in Fund 7704, the Streets and Highways Bond Fund. An amendment to the 2023 Capital Improvements Budget and a transfer of cash 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 to meet the scheduled start date of January 19, 2024. This deadline is necessary to meet the deadlines of the federal grant funding and prevent unnecessary delays in the Department of Public Service's Capital Improvement Program to ensure the safety of the traveling public.

To amend the 2023 Capital Improvement Budget; to authorize the City Auditor to transfer funds 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 Resurfacing - Urban Paving - FRA-23-15.31 PID 106095 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 \$60,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$60,000.00)

WHEREAS, the City of Columbus is engaged in the Resurfacing - Urban Paving - FRA-23-15.31 PID 106095 project; and

WHEREAS, the project will include resurfacing US23, Indianola Avenue between Hudson Street to North Broadway. The project will include bike facilities, curb and sidewalk replacement from Hudson Street to North Broadway; 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 (e.g. surveys, title work, appraisals, etc.), staff and land costs, have been estimated to total \$60,000.00; and

WHEREAS, this ordinance authorizes funding in the amount of \$60,000.00 for that purpose; and

WHEREAS, it is necessary to authorize an amendment to the 2023 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, it is necessary to authorize a transfer of funds and appropriation within Fund 7704, the Streets and Highways Bond Fund, to establish sufficient cash to pay for the project; and

WHEREAS, this ordinance authorizes the City Attorney's Office Real Estate Division to expend \$60,000.00, 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 Resurfacing - Urban Paving - FRA-23-15.31 PID 106095 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 meet federal grant funding deadlines to prevent unnecessary delays in the Department of Public Service's Capital Improvement Program, to ensure the safety of the traveling public, all for the immediate preservation of the public health, peace, property, safety and welfare; and **now, therefore**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the 2023 Capital Improvements Budget authorized by ordinance 1711-2023 be amended as follows to establish sufficient authority for this project:

Fund / Project / Project Name / Current / Change /C.I.B. as Amended

7704 / P590105-100083 / Pedestrian Safety Improvements - Wilson Road Shared Use Path (Voted Carryover) / \$60,066.00 / (\$60,000.00) / \$66.00

7704 / P530282-100048 / Resurfacing - Urban Paving - FRA-23-15.31 PID 106095 (Voted Carryover) / \$0.00 / \$60,000.00 / \$60,000.00

SECTION 2. That the transfer of \$60,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5911 (Infrastructure Management), Project P590105-100083 (Pedestrian Safety Improvements - Wilson Road Shared Use Path), Object Class 06 (Capital Outlay) to Dept-Div 5911 (Infrastructure Management), Project P530282-100048 (Resurfacing - Urban Paving - FRA-23-15.31 PID 106095), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

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 (e.g. surveys, title work, appraisals, etc.), and to negotiate with property owners to acquire the additional rights of way needed to complete the Resurfacing - Urban Paving - FRA-23-15.31 PID 106095 project in an amount up to \$60,000.00.

SECTION 4. That the expenditure of \$60,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund) in Dept-Div 5911 (Infrastructure Management), Project P530282-100048 (Resurfacing - Urban Paving - FRA-23-15.31 PID 106095), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 5. 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 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.