



## Legislation Details (With Text)

**File #:** 2228-2019      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 8/22/2019      **In control:** Public Service & Transportation Committee

**On agenda:** 9/16/2019      **Final action:** 9/19/2019

**Title:** To amend the 2019 Capital Improvement Budget; to authorize the City Auditor to appropriate funds within the Street & Highway Improvement Non-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 Bridge Rehabilitation - Lehman Road 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 up to \$56,058.88 from the Streets and Highways Bond Fund and up to \$2,278.94 from the Street & Highway Improvement Non-Bond Fund; and to declare an emergency. (\$58,337.82)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ord 2228-2019 H&A

Date	Ver.	Action By	Action	Result
9/19/2019	1	CITY CLERK	Attest	
9/18/2019	1	MAYOR	Signed	
9/16/2019	1	COUNCIL PRESIDENT	Signed	
9/16/2019	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

The following legislation 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 Bridge Rehabilitation - Lehman Road project.

The Department of Public service is engaged in the Bridge Rehabilitation - Lehman Road project. The project will replace the existing bridge carrying Lehman Road over Georges Creek located from Gender Road to 390 feet east of Gender Road. The new structure will accommodate a three-lane section plus paved shoulders and sidewalk on both sides.

The cost to acquire the right-of-way needed to complete the project is estimated at \$58,337.82. 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 is budgeted and available for this project in the amount of \$56,058.88 in Fund 7704, the Streets and Highways Bond Fund, and in the amount of \$2,278.94 in Fund 7766, the Street & Highway Improvement Non-Bond Fund. An amendment to the 2019 Capital Improvement Budget in Fund 7704 is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure. Funds will need to be appropriated in Fund 7766.

### 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 2019 Capital Improvement Budget; to authorize the City Auditor to appropriate funds within the Street & Highway Improvement Non-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 Bridge Rehabilitation - Lehman Road 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 up to \$56,058.88 from the Streets and Highways Bond Fund and up to \$2,278.94 from the Street & Highway Improvement Non-Bond Fund; and to declare an emergency. (\$58,337.82)

**WHEREAS**, the City of Columbus is engaged in the Bridge Rehabilitation - Lehman Road project; and

**WHEREAS**, the project will include replacing the existing bridge carrying Lehman Road over Georges Creek located from Gender Road to 390 feet east of Gender Road and will accommodate a three-lane section plus paved shoulders and sidewalk on both sides; 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 \$58,337.82; and

**WHEREAS**, this ordinance authorizes funding in the amount of up to \$58,337.82 for that purpose; and

**WHEREAS**, it is necessary to authorize an amendment to the 2019 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, it is necessary to authorize the City Auditor to appropriate \$2,278.94 within the Street & Highway Improvement Non-Bond Fund; and

**WHEREAS**, this ordinance authorizes the City Attorney's Office Real Estate Division to expend up to \$58,337.82, 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 Bridge Rehabilitation - Lehman Road 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, 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 2019 Capital Improvements Budget authorized by ordinance 1326-2019 be amended as follows to establish sufficient authority for this project:

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

7704 / P530301-100000 / Bridge Rehabilitation (Voted Carryover) / \$56,059.00 / (\$56,059.00) / \$0.00

7704 / P530301-164114 / Bridge Rehabilitation - Lehman Road (Voted Carryover) / \$0.00 / \$56,059.00 / \$56,058.00

7766 / P530301-100000 / Bridge Rehabilitation (Street & Highway Imp Carryover) / \$0.00 / \$2,279.00 / (\$2,279.00) / \$0.00

7766 / P530301-164114 / Bridge Rehabilitation - Lehman Road (Street & Highway Imp Carryover) / \$0.00 / \$2,279.00 / \$2,279.00

**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 ended December 31, 2019, the sum of \$2,278.94 is appropriated in Fund 7766 (Street & Highway Improvement Non-Bond Fund), Dept-Div 5911 (Infrastructure Management), Project P530301-164114 (Bridge Rehabilitation - Lehman Road), in 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, and to negotiate with property owners to acquire the additional rights of way needed to complete the Bridge Rehabilitation - Lehman Road project in an amount up to \$58,337.82.

**SECTION 4.** That the expenditure of \$56,058.88, 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 P530301-164114 (Bridge Rehabilitation - Lehman Road), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That the expenditure of \$2,278.94, or so much thereof as may be needed, is hereby authorized in Fund 7766 (Street & Highway Improvement Non-Bond Fund) in Dept-Div 5911 (Infrastructure Management), Project P530301-164114 (Bridge Rehabilitation - Lehman Road), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 6.** 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 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 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 9.** 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.