Legislation Details (With Text)

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Type:	Ordinance	**Status:**	Passed
File created:	5/3/2023	**In control:**	Public Service & Transportation Committee
On agenda:	5/22/2023	**Final action:**	5/24/2023
Title:	To authorize the City Auditor to appropriate $1,200,000.00 within the Federal Transportation Grants Fund; to authorize the City Attorney's Office 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 - Cassady Avenue Widening project; to authorize the City Attorney's Office to negotiate with property owners to acquire the additional rights of way necessary to complete this project; to authorize the expenditure of up to $1,500,000.00 from the Federal Transportation Grants Fund and the Streets and Highways Bond Fund; and to declare an emergency. ($1,500,000.00)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Ord 1388-2023 Accounting Template.pdf		

Date	Ver.	Action By	Action	Result
5/24/2023	1	CITY CLERK	Attest	
5/23/2023	1	MAYOR	Signed	
5/22/2023	1	COUNCIL PRESIDENT	Signed	
5/22/2023	1	Columbus City Council	Approved	Pass

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 - Cassady Avenue Widening PID105732 project.

The Department of Public service is engaged in the Arterial Street Rehabilitation - Cassady Avenue Widening project. The project will consist of improvements to the Cassady Avenue corridor from the City of Bexley Corporation line to 7th Avenue. This is the first of multiple phases to reconstruct the Cassady Avenue corridor with complete street improvements.

Ordinance 2113-2021 authorized the City Attorney’s Office to hire professional services and to negotiate with property owners to acquire the various property rights necessary to complete the Arterial Street Rehabilitation - Cassady Avenue Widening project. Funding in the amount of $2,142,657.00 was established to begin acquiring the needed property rights. This ordinance requests an additional $1,500,000.00 estimated to be needed to complete acquisition for this project.

Ord 2534-2022 authorized the Director of Public Service to submit MORPC Attributable Funds roadway improvement project applications and updates for consideration for funding within the Transportation Improvement Program and to execute project agreements for approved projects for the Department of Public Service for the Arterial Street Rehabilitation - Cassady Avenue Widening project.

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
A reimbursement grant from the Ohio Department of Transportation will partially fund right-of-way acquisition from the Federal Transportation Grants Fund, Fund 7765, Grant #G592105 (Cassady Avenue 105732), in the amount of $1,200,000.00. The entire amount of $1,200,000.00 will need to be appropriated into the grant.

Public Service will contribute the local share for right-of-way acquisition in the amount of $300,000.00 which is available in the Streets and Highway Bonds Fund, Fund 7704. Contingent upon the deposit of proceeds from the May 2023 Bond Sale.

3. EMERGENCY DESIGNATION
Emergency action is requested in order to complete needed improvements at the earliest possible time and meet the requirements of the start date for the Ohio Department of Transportation funding award to avoid penalty and to ensure the safety of the traveling public.

To authorize the City Auditor to appropriate $1,200,000.00 within the Federal Transportation Grants Fund; to authorize the City Attorney's Office 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 - Cassady Avenue Widening project; to authorize the City Attorney's Office to negotiate with property owners to acquire the additional rights of way necessary to complete this project; to authorize the expenditure of up to $1,500,000.00 from the Federal Transportation Grants Fund and the Streets and Highways Bond Fund; and to declare an emergency. ($1,500,000.00)

WHEREAS, the City of Columbus is engaged in the Arterial Street Rehabilitation - Cassady Avenue Widening PID105732 project; and

WHEREAS, the project will include improvements to the Cassady Avenue corridor from the City of Bexley Corporation line to 7th Avenue; 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, Ordinance 2113-2021 authorized the City Attorney’s Office to expend up to $2,142,657.00 to hire professional services and to negotiate with property owners to begin acquisition of the various property rights necessary to complete the Arterial Street Rehabilitation - Cassady Avenue Widening PID105732 project; and

WHEREAS, additional right-of-way acquisition cost, including professional services, staff and land costs, have been estimated to total $1,500,000.00; and

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

WHEREAS, this ordinance authorizes funding in the amount of $1,500,000.00 for that purpose; and

WHEREAS, it is necessary to authorize the City Auditor to appropriate $1,200,000.00 within the Federal Transportation Grants Fund; and

WHEREAS, this ordinance is contingent upon receipt of the May 2023 bond sale funds for the local share of $300,000.00; and

WHEREAS, this ordinance authorizes the City Attorney's Office Real Estate Division to expend $1,500,000.00, 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 - Cassady Avenue Widening PID105732 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 grant deadlines, 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 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, 2023, the sum of $1,200,000.00 is appropriated in Fund 7765 (Federal Transportation Grants), Dept-Div 5912 (Design and Construction), Grant G592105 (Cassady Avenue 105732), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 2. 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 - Cassady Avenue Widening project in an amount up to $1,500,000.00.

SECTION 3. That the expenditure of $1,200,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7765 (Federal Transportation Grants Fund) in Dept-Div 5912 (Design and Construction), Project G592105 (Cassady Avenue 105732), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 4. That the expenditure of $300,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets & Highways Bond Fund) in Dept-Div 5912 (Design and Construction), Project P530103-100060 (Arterial Street Rehabilitation - Cassady Avenue Widening (Bexley Corp to 7th Av)), 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 9. 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 10. 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.

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