



## Legislation Text

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**File #: 1627-2014, Version: 1**

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### **1. BACKGROUND**

This 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 Arterial Street Rehabilitation - Hard Road Phase A - Sawmill Road to Smoky Row Road project. This project is located within the Far Northwest community planning area.

The City of Columbus, Department of Public Service, is engaged in the Arterial Street Rehabilitation - Hard Road Phase A - Sawmill Road to Smoky Row Road project. Improvements include: widening Hard Road from two lanes to five lanes, adding turn lanes, new pavement, curb, sidewalk, street lighting, storm sewer, traffic signals, signs, and pavement markings.

The project limits are Hard Road from Sawmill Road to 387 feet west of Smoky Row Road. The length of the project is approximately 1.2 miles.

Initial acquisition funding for this project, in the amount of \$1,650,000.00, was authorized pursuant to Ordinance No. 1996-2012, passed September 24, 2012. The initial acquisition legislation authorized the City Attorney to contract for professional services and to acquire fee simple title and lesser interests in and to real property necessary to the project, with the understanding that more funding may be required in the future. It is now necessary that the City Attorney's Office be authorized to expend an additional \$350,000.00 in order to pay for costs relative to the acquisition of right-of-way necessary to the Arterial Street Rehabilitation - Hard Road Phase A - Sawmill Road to Smoky Row Road project.

### **2. FISCAL IMPACT**

Funds in the amount of \$280,000.00 are available for this project in Fund 765, the Federal-State Highway Engineering Fund, through a grant from the Mid-Ohio Regional Planning Commission (MORPC). The remaining funds in the amount of \$70,000.00 are available in Fund 704, the Streets and Highways G.O. Bonds Fund.

### **3. EMERGENCY DESIGNATION**

Emergency action is requested to provide necessary right-of-way acquisition funding and prevent unnecessary delays in the Departments of Public Service's Capital Improvement Program.

To authorize the City Auditor to transfer cash between the Streets and Highways Bonds Fund and the Federal-State Highway Engineering Fund; to authorize the City Auditor to appropriate \$350,000.00 within the Federal-State Highway Engineering 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 - Hard Road Phase A - Sawmill Road to Smoky Row 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 \$350,000.00 from the Federal-State Highway Engineering Fund; and to declare an emergency. (\$350,000.00)

**WHEREAS**, the City of Columbus, Department of Public Service, is engaged in the Arterial Street Rehabilitation - Hard Road Phase A - Sawmill Road to Smoky Row Road project: and

**WHEREAS**, this project will construct five lanes, turn lanes, new pavement, curb, sidewalk, street lighting, storm sewer, traffic signals, signs and pavement markings: and

**WHEREAS**, this ordinance authorizes the City Attorney's Office Real Estate Division to expend \$350,000.00 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 - Hard Road Phase A - Sawmill Road to Smoky Row Road project; and

**WHEREAS**, initial acquisition funding for this project, in the amount of \$1,650,000.00, was authorized pursuant to Ordinance No. 1996-2012, passed September 24, 2012; and

**WHEREAS**, this legislation authorized the City Attorney to contract for professional services and to acquire fee simple title and lesser interests in and to real property necessary to the project, with the understanding that more funding may be required in the future; and

**WHEREAS**, a Mid-Ohio Regional Planning Commission (MORPC) grant will be used to fund part of the project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that this ordinance should be authorized immediately so that funding can be made available for 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 City Auditor be and is hereby authorized to transfer cash and appropriation within the Streets and Highways Bond Fund, Number 704, as follows:

**From:**

**Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount**

704 / 530161-100095 / Roadway Improvements - Stygler Road / 06-6600 / 746195 / \$70,000.00

**To:**

**Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount**

704 / 530161-100095 / Roadway Improvements - Stygler Road / 10-5501 / 746195 / \$70,000.00

**SECTION 2.** That the City Auditor be and is hereby authorized to transfer funds between the Streets and Highways Bonds Fund, Number 704, and the Federal-State Highway Engineering Fund, No. 765, as follows:

**From:**

**Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount**

704 / 530161-100095 / Roadway Improvements - Stygler Road / 10-5501 / 746195 / \$70,000.00

**To:**

**Fund / Grant Number / Grant Name / O.L. 01-03 Codes / OCA / Amount**

765 / 598095-100000 / Hard Road Phase A (PID 17585) / 80-0886 / 598095 / \$70,000.00

**SECTION 3.** The City Auditor be and is hereby authorized to appropriate a sum of up to \$350,000.00 from the unappropriated balance of the Federal-State Highway Engineering Fund, Fund 765, 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, 2014, for Dept.-Div. 59-12, Division of Design and Construction, as follows:

**Fund / Grant Number / Grant Name / O.L. 01-03 Codes / OCA / Amount**

765 / 598095-100000 / Hard Road Phase A (PID 17585) / 06-6600 / 598095 / \$350,000.00

**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 - Hard Road Phase A - Sawmill Road to Smoky Row Road project.

**SECTION 5.** That for the purpose of paying the cost of this contract the sum of up to \$350,000.00 or so much as thereof may be needed, is hereby authorized to be expended from the Federal-State Highway Engineering Fund, No. 765 as follows:

**Fund / Grant Number / Grant Name / O.L. 01-03 Codes / OCA / Amount**

765 / 598095-100000 / Hard Road Phase A (PID 17585) / 06-6601 / 598095 / \$350,000.00

**SECTION 6.** 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 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.