



Legislation Text

File #: 1003-2015, **Version:** 1

1. BACKGROUND

This 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 Pedestrian Safety Improvements - COTA Sidewalks Phase 2 (PID Number 95553) project.

The City of Columbus, Department of Public Service, is engaged in the Pedestrian Safety Improvements - COTA Sidewalks Phase 2 (PID Number 95553) project, which includes the installation of sidewalk and curb ramps at three locations in the Far North area (Community Planning Area 03): Kenny Road from Upper Arlington corporation line to Francisco Road, Dierker Road from Henderson Road to Bethel Road, and Campus View Boulevard between High Street and Huntington Park Drive and Huntington Park Drive between Campus View Boulevard and the COTA Park and Ride. The project also includes right-of-way acquisition and improvements necessary to accommodate drainage if needed.

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 in the amount of \$1,000,000.00 is available for this project and this legislation appropriates it as follows: \$200,000.00 from the Streets and Highways G.O. Bond Fund and \$800,000.00 from the Federal-State Highway Engineering Fund, both within the Department of Public Service. An amendment to the 2015 Capital Improvements fund is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

3. EMERGENCY DESIGNATION

The department requests emergency action so as 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 2015 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation within the Streets and Highways Bond Fund; to authorize the City Auditor to transfer \$200,000.00 between the Streets and Highways Improvements Fund and the Federal-State Highway Engineering Fund; to authorize the City Auditor to appropriate \$1,000,000.00 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 Pedestrian Safety Improvements - COTA Sidewalks Phase 2 (PID Number 95553) project and to negotiate with property owners to acquire the additional rights of way necessary to complete this project; to authorize the expenditure of \$1,000,000.00 from the Fed-State Highway Engineering Fund; and to declare an emergency. (\$1,000,000.00)

WHEREAS, the City of Columbus, Department of Public Service is engaged in the Pedestrian Safety Improvements - COTA Sidewalks Phase 2 (PID Number 95553) project; and

WHEREAS, this project encompasses the design and installation of pedestrian safety improvements at three locations in the Far North area, including curb ramps and new sidewalks on both sides of Campus View Boulevard and Kenny Road, and curb ramps and sidewalk along the east side and curb ramps and shared use path along the west side of Dierker Road; and

WHEREAS, the Ohio Department of Transportation has awarded grant funding to the Department of Public Service related to the Pedestrian Safety Improvements - COTA Sidewalks Phase 2 (PID Number 95553) project; 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, this ordinance authorizes the City Attorney's Office Real Estate Division to expend \$1,000,000.00 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 Pedestrian Safety Improvements - COTA Sidewalks Phase 2 (PID Number 95553) project; and

WHEREAS, it is necessary to authorize an amendment to the 2015 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; 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 Departments 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 2015 Capital Improvement Budget authorized by Ordinance 0557-2015 be amended as follows to establish sufficient authority for this project:

Fund / Project / Project Name / Current / Change / Amended

704 / 590105-100104 / Pedestrian Safety Improvements - Sullivant Avenue Curb Extensions and Westgate Ave. Improvements (Voted Carryover) / \$168,116.00 / (\$160,000) / \$8,116.00

704 / 590105-100042 / Pedestrian Safety Improvements - COTA Sidewalks Phase 2 (Voted Carryover) / \$40,000.00 / \$160,000.00 / \$200,000.00

SECTION 2. That the transfer of cash and appropriation within the Streets and Highways G.O. Bonds Fund, Fund 704, be authorized as follows:

Transfer from:

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

704 / 590105-100104 / Pedestrian Safety Improvements - Sullivant Avenue Curb Extensions and Westgate Ave. Improvements / 06-6600 / 741514 / \$160,000.00

704 / 590105-100042 / Pedestrian Safety Improvements - COTA Sidewalks Phase 2 / 06-6600 / 741542 / \$40,000.00

Transfer to:

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

704 / 590105-100042 / Pedestrian Safety Improvements - COTA Sidewalks Phase 2 / 10-5501 / 741542 / \$200,000.00

SECTION 3. That the City Auditor is hereby authorized to transfer cash between the Streets and Highways Improvement Fund, Fund 704, and the Federal-State Highway Engineering Fund, Fund 765, as follows:

Transfer from:

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

704 / 590105-100042 / Pedestrian Safety Improvements - COTA Sidewalks Phase 2 / 10-5501 / 741542 / \$200,000.00

Transfer to:

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

765 / XXXXXX-XXXXXX (TBD by the Auditor's Office) / COTA Sidewalks Phase 2 PID 95553 / 80-0886 / XXXXXX (TBD by the Auditor's Office) / \$200,000.00

SECTION 4. That from the unappropriated monies in the Federal-State Highway Engineering Fund, No. 765, and from any and all sources estimated to come into said fund and unappropriated for any other purpose during the period ending December 31, 2015, the sum of \$1,000,000.00 is appropriated for the Department of Public Service, Division of Design and Construction, as follows:

Dept-Div / Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount
59-12 / 765 / XXXXXX-XXXXXX (TBD by the Auditor's Office) / COTA Sidewalks Phase 2 PID 95553 / 06-6600 / XXXXXX (TBD by the Auditor's Office) / \$1,000,000.00

SECTION 5. 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 - COTA Sidewalks Phase 2 (PID Number 95553) project.

SECTION 6. That for the purpose of paying those costs relative to the acquisition of rights-of-way needed for the Pedestrian Safety Improvements - COTA Sidewalks Phase 2 (PID Number 95553) project the sum of up to \$1,000,000.00 or so much as thereof may be needed, is hereby authorized to be expended from the Federal-State Highway Engineering Fund, Fund 765, as follows:

Dept-Div / Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount
59-12 / 765 / XXXXXX-XXXXXX (TBD by the Auditor's Office) / COTA Sidewalks Phase 2 PID 95553 / 06-6682 / XXXXXX (TBD by the Auditor's Office) / \$1,000,000.00

SECTION 7. 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 8. 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 9. 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 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.