



## Legislation Text

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**File #: 2384-2016, 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 Rehabilitation- Polaris Parkway at Orion Place (DEL-CR615-0.000 PID 95549) project.

The Department of Public Service is currently engaged in the Arterial Rehabilitation - Polaris Parkway at Orion Place project. The project encompasses widening Polaris Parkway to provide a third through lane in both directions from I-71 to Olde Worthington Road, including the construction of a two-lane roundabout at the intersection of Olde Worthington Road and Orion Place. This project also includes the installation of a shared use path, sidewalk, traffic signal replacement, landscaping and street lighting. The project is located in Community Planning Area 03, Far North. The Department of Public Service is currently finalizing construction plans and is prepared to authorize right-of-way acquisition pending passage of this legislation.

Ordinance Number 1839-2016 previously authorized the acceptance and expenditure of awarded grant funds, and the return of unused grant funds if any should remain at the end of the grant received from the Mid-Ohio Regional Planning Commission's (MORPC) Transportation Improvement Program (TIP). This ordinance is requesting authorization to expend some of the awarded funds.

A Federal earmark of \$1,000,000.00 is now also being made available for right-of-way acquisition for this project. This legislation will allow the Director of Public Service to enter into any agreements necessary to accept these Federal earmarked funds, and authorizes the expenditure of the funds along with the return any of any unused earmarked funds if any funds should remain after final project accounting.

### **2. FISCAL IMPACT**

Funds in the amount of \$520,000.00 are available for this project within the Polaris TIF Fund (Fund 4402) and can be transferred to the Polaris Interchange Fund (Fund 7770) within the Department of Public Service, and \$3,080,000.00 is available for this project within the Fed-State Highway Engineering Fund (Fund 7765) within the Department of Public Service.

### **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 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 Rehabilitation - Polaris Parkway at Orion Place project; to authorize the Director of Public Service to enter into any necessary agreements to accept Federal earmarked funds for said project; to appropriate funds within the Fed-State Highway Engineering Fund; to appropriate funds available in the Polaris TIF fund, 4402 for the Department of Public Service; to authorize the City Auditor to transfer cash and appropriation from the Polaris TIF fund 4402 to Polaris Interchange fund 7770; 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 \$520,000.00 from the Polaris Interchange Fund, 7770 and \$3,080,000.00 from the Fed-State Highway Engineering Fund; and to declare an emergency. (\$3,600,000.00)

**WHEREAS**, the Department of Public Service is engaged in the Arterial Rehabilitation - Polaris Parkway at Orion Place project; and

**WHEREAS**, this project will be widening Polaris Parkway from I-71 to Old Worthington Road, make improvements to Orion Place and shared use paths; and

**WHEREAS**, this ordinance will appropriate funds available in the Polaris TIF Fund 4402 for the Department of Public Service; and

**WHEREAS**, this ordinance will transfer cash and appropriation for the Department of Public Service from the Polaris TIF Fund 4402 to the Polaris Interchange Fund 7770 in order to allow Public Service to administer financial requirements of this project within fund 7770; and

**WHEREAS**, this ordinance authorizes the City Attorney's Office Real Estate Division to expend \$3,600,000.00 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 Rehabilitation - Polaris Parkway at Orion Place 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 above actions so that funding can be made available for the necessary right-of-way acquisition for the project, 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 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 Rehabilitation - Polaris Parkway at Orion Place project.

**SECTION 2.** That the Director of Public Service be and hereby is authorized to enter into any agreements necessary to accept Federal Earmarked funds for the Arterial Rehabilitation- Polaris Parkway at Orion Place project, and authorizes the expenditure of the funds in accordance with any grant conditions.

**SECTION 3.** 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, 2016, the sum of \$3,080,000.00 is appropriated in Fund 7765 Fed-State Highway Engineering Fund in object class 06 Capital Outlay per the account codes in the attachment to this ordinance.

**SECTION 4.** That the City Auditor's office be and is hereby authorized and directed to appropriate the amount of \$520,000.00 for this project in the Department of Public Service per the account codes in the attachment to this ordinance.

**SECTION 5.** That the City Auditor's office be and is hereby authorized and directed to transfer cash and appropriation in the amount of \$520,000.00 for this project within the Department of Public Service per the account codes in the attachment to this ordinance.

**SECTION 6.** That the expenditure of \$3,080,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7765 Fed-State Highway Engineering Fund in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**SECTION 7.** That the expenditure of \$520,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7770 Polaris Interchange Fund in object class 06 Capital Outlay per the accounting codes in the attachment to this

ordinance.

**SECTION 8.** 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 9.** 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 10.** 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 11.** That at the end of the grant (Federal earmark) 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 12.** 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.