



Legislation Text

File #: 2686-2017, **Version:** 1

1. BACKGROUND

The following legislation authorizes additional acquisition funding in order for the City Attorney's Real Estate Division to hire professional services and to negotiate with property owners to acquire the various property rights necessary to complete the Roadway Improvements-Lazelle Road project Phase's A, B & C (aka FRA-Lazelle Road PID 95606, PID 90406 and PID 95607).

The City of Columbus, Department of Public Service, is engaged in the Roadway Improvements-Lazelle Road project Phase's A, B & C (aka FRA-Lazelle Road PID 95606, PID 90406 and PID 95607), which includes reconstruction and widening of Lazelle Road from N. High Street (US-23) east to northwest of Worthington Galena Road, replacement of NS and CSXT railroad bridges, relocation of Old State Road to a proposed roundabout, and adding sidewalks, a shared use path, and a storm sewer outfall pipe along Flint Road. 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.

Ordinance 2314-2015, passed by Council on September 28, 2015, authorized initial acquisition funding for this project in the amount of \$2,592,907.00. 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 expend an additional \$30,000.00 in order to pay for costs relative to the acquisition of right of way necessary to the Roadway Improvements - Lazelle Road project Phase's A, B & C (aka FRA Lazelle Road PID 95606, PID 90406 and PID 95607).

2. FISCAL IMPACT

Funding in the amount of \$30,000.00 is available for this project from the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2017 Capital Improvements Budget is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

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 Programs.

To amend the 2017 Capital Improvements Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond Fund; to authorize the City Attorney's 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 Roadway Improvements - Lazelle Road project and negotiate with property owners to acquire the additional rights of way; to authorize the expenditure of up to \$30,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$30,000.00)

WHEREAS, the City of Columbus, Department of Public Service, is engaged in the Roadway Improvements-Lazelle Road project Phases A, B & C (aka FRA-Lazelle Road PID 95606, PID 90406 and PID 95607); and

WHEREAS, this project widens Lazelle Road from N. High Street (US-23) east to northwest of Worthington Galena Road, replaces NS and CSXT railroad bridges, relocates Old State Road to a proposed roundabout, while adding sidewalks, a shared use path and a storm sewer outfall pipe along Flint Road; and

WHEREAS, initial acquisition funding for this project, in the amount of \$2,592,907.00, was authorized pursuant to Ordinance No. 2314-2015, passed by Council on September 28, 2015; and

WHEREAS, this legislation authorizes 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, it is necessary to authorize an amendment to the 2017 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 above actions so that funding can be made available for the necessary right-of-way acquisition for the project, preventing a delay in the construction schedule, 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 2017 Capital Improvement Budget authorized by Ordinance 1124-2017 be amended as follows to establish sufficient authority for this project:

Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended

704 / P530161-100161 / Roadway Improvements - 18th Street - I-70 to Main Street (Voted Carryover) / \$30,000.00 / (\$30,000.00) / \$0.00

704 / P530161-100145 / Roadway Improvements - Lazelle Road Phase A (Voted Carryover) / \$0.00 / \$30,000.00 / \$30,000.00

SECTION 2. That the transfer of \$30,000.00 or so much thereof as may be needed, is hereby authorized between projects within Fund 7704 Streets and Highways Bond Fund 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 in the additional amount of \$30,000.00 or so much thereof as may be needed to acquire the additional rights of way needed to complete the Roadway Improvements - Lazelle Road project Phase's A, B & C (aka FRA Lazelle Road PID 95606, PID 90406 and PID 95607).

SECTION 4. That the expenditure of the sum of \$30,000.00 or so much thereof as may be needed, is hereby authorized in Fund 7704 Streets and Highways Bond Fund, in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

SECTION 5. 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 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 8. 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.