



Legislation Text

File #: 3018-2017, **Version:** 1

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 Intersection Improvements-James Road at Livingston Avenue (FRA-CR15 Livingston at James (PID Number 101787)) project.

The Department of Public Service is currently engaged in the Intersection Improvements - James Road at Livingston Avenue project. The project encompasses improvements of right turn lanes from Livingston Avenue to James Road and replaces traffic signals to accommodate additional turn lanes. Street lighting modifications will be included as well as coordination with utilities to handle numerous overhead and underground facilities.

The project is located in Community Planning Area 20 (Eastmoor-Walnut Ridge). 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 0483-2017, approved by City Council on March 13, 2017, and signed by the Mayor on March 15, 2017, authorized the Director of Public Service to accept Ohio Department of Transportation (ODOT) Highway Safety Program grant funds to expend on the Intersection Improvements -James Road at Livingston Avenue (FRA CR15 Livingston at James (PID Number 101787)) project. The ODOT funds will be used for 90% of this expense, with the City contributing the remaining 10%.

2. FISCAL IMPACT

This is a reimburseable budgeted expense of \$180,000.00 for this project within the Federal Transportation Grants Fund (Fund 7765) within the Department of Public Service. The City's required 10% contribution in the amount of \$20,000.00 is available within fund 7704, the Streets and Highways Bond Fund 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 to contract for professional services relative to the acquisition of fee simple title and lesser interests in and to property needed for the Intersection Improvements - James Road at Livingston Avenue 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 appropriation of \$180,000.00 within the Federal Transportation Grants Fund; to authorize the expenditure of up to \$180,000.00 from Fund 7765 the Federal Transportation Grants Fund; to authorize the expenditure of up to \$20,000.00 from Fund 7704 the Streets and Highways Bond Fund; and to declare an emergency. (\$200,000.00)

WHEREAS, the Department of Public Service is engaged in the Intersection Improvements - James Road at Livingston Avenue project; and

WHEREAS, this project will add turn lanes, traffic signal upgrades to the intersection as safety measures, and upgrades to storm sewer capacity on Livingston Avenue; and

WHEREAS, right-of-way must be acquired to complete the project; and

WHEREAS, it is necessary to authorize the City Attorney's Office to expend up to \$200,000.00 to hire professional services and to negotiate with property owners to acquire the various property rights necessary to complete the Intersection Improvements - James Road at Livingston Avenue 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 Intersection Improvements - James Road at Livingston Avenue project.

SECTION 2. 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, 2017, the sum of \$180,000.00 is appropriated in Fund 7765 (Federal Transportation Grants Fund), Dept-Div 5912 (Division of Design and Construction), Project G591700 (James Rd at Livingston Ave 101787), in object class 06 Capital Outlay per the account codes in the attachment to this ordinance.

SECTION 3. That the expenditure of \$180,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7765 (Federal Transportation Grants Fund), Dept-Div 5912 (Division of Design and Construction), Project G591700 (James Rd at Livingston Ave 101787), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 4. That the expenditure of \$20,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Improvements), Dept-Div 5912 (Division of Design and Construction), Project P530086-100035 (James Rd at Livingston Ave 101787), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 5. That the 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 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.