



## Legislation Text

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**File #:** 1629-2018, **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 Pedestrian Safety Improvements - Refugee Road - Winchester Pike to Hamilton Road project.

The Department of Public Service is currently engaged in the Pedestrian Safety Improvements - Refugee Road - Winchester Pike to Hamilton Road Project. The project will construct sidewalk on the south side of Refugee Road from Winchester Pike to Hamilton Road, a shared use path on the north side from Winchester Pike to Hamilton Road, ADA ramps, and shelter pads at transit stops. The Department of Public Service is currently finalizing construction plans and is prepared to authorize right-of-way acquisition pending passage of this legislation.

This funding request is an estimate. The cost for right-of-way acquisition will be determined on a parcel-by-parcel basis when such parcels are identified. The amount needed may exceed the amount requested in this ordinance. Additional legislation will be submitted by the Department of Public Service if additional funds are needed to complete the right-of-way acquisitions.

### **2. FISCAL IMPACT**

A grant from the Ohio Department of Transportation in the amount of \$120,000.00 will partially fund the right-of-way portion of this project. Public Service will contribute the amount \$522,000.00 from the Streets and Highways Bonds Fund, Fund 7704. It is necessary to transfer funds within the Streets and Highways Bond Fund, Fund 7704, to align spending in the proper project. These funds will be used by the City Attorney's Office, Real Estate Division, to acquire miscellaneous small parcels of right-of-way needed for the successful completion of various projects throughout the City. An amendment to the 2018 Capital Improvements Budget is necessary to establish sufficient budget authority for the project.

### **3. EMERGENCY DESIGNATION**

Public Service is requesting emergency designation so as to prevent delays in the construction schedule.

To amend the 2018 Capital Improvement Budget; 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 Pedestrian Safety Improvements - Refugee Road - Winchester Pike to Hamilton Road project; to authorize the appropriation of funds in the Federal Transportation Grants Fund; 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 expenditure of up to \$522,000.00 from the Streets and Highways Bond Fund; to authorize the expenditure of up to \$120,000.00 in the Federal Transportation Grants Fund; and to declare an emergency. (\$642,000.00)

**WHEREAS**, the Department of Public Service is engaged in the Pedestrian Safety Improvements - Refugee Road - Winchester Pike to Hamilton Road project; and

**WHEREAS**, this project will construct sidewalk on the south side of Refugee Road from Winchester Pike to Hamilton Road, a shared use path on the north side from Winchester Pike to Hamilton Road, ADA ramps, and shelter pads at transit stops; and

**WHEREAS**, right-of-way acquisition must be completed before construction can begin; and

**WHEREAS**, it is necessary to authorize the City Attorney's Office, Real Estate Division, to expend \$642,000.00, 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 - Refugee Road - Winchester Pike to Hamilton Road Project; and

**WHEREAS**, it is necessary to authorize an amendment to the 2018 Capital Improvement Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, Federal Transportation grant funds will be used to pay for a portion of this project; and

**WHEREAS**, it is necessary to authorize a transfer of funds within Fund 7704, the Streets and Highways Bond Fund, to establish sufficient cash to pay for the 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 to prevent delays 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 2018 Capital Improvement Budget authorized by Ordinance 1010-2018 be amended as follows to establish sufficient authority for this project:

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

7704 / P590105-100015 / Pedestrian Safety Improvements - Franklinton Community Mobility Plan (Voted Carryover) / \$877,991.00 / (\$362,000.00) / \$515,991.00

7704 / P590105-100112 / Pedestrian Safety Improvements - Refugee Road - Winchester Pike to Hamilton Road (Voted Carryover) / \$160,000.00 / \$362,000.00 / \$522,000.00

**SECTION 2.** That the transfer of \$362,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), in Dept-Div 5911 (Division of Infrastructure Management).

**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, 2018, the sum of \$120,000.00 is appropriated in Fund 7765 (Federal Transportation Grants), Dept.-Div 5912 (Design and Construction), Project G591804), (Refugee - Winchester to Hamilton 99744), in Object Class 06 (Capital Outlay per the account codes in the attachment to this ordinance.

**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 Pedestrian Safety Improvements-Refugee Road -Winchester Pike to Hamilton Road project.

**SECTION 5.** That the expenditure of \$522,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), in Dept-Div 5911 (Division of Infrastructure Management), Project P590105-100112 (Pedestrian Safety Improvements - Refugee Road - Winchester Pike to Hamilton Road), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That the expenditure of \$120,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7765 (Federal Transportation Grants), Dept.-Div 5912 (Design and Construction), Project G591804), (Refugee - Winchester to Hamilton 99744), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**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.