



## Legislation Text

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**File #:** 1660-2019, **Version:** 1

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### 1. BACKGROUND

The following legislation will establish a contingency fund that 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 Public Private Partnership (3P) projects throughout the City.

The Department of Public service is engaged in various 3P projects throughout the City. These projects can include widening of roadways, installing turn lanes at intersections, constructing sidewalks, and installing new traffic signals.

Small parcels of right-of-way may need to be acquired to complete these projects. This ordinance establishes a fund of \$25,000.00 to be used to acquire these small parcels.

### 2. FISCAL IMPACT

Funds in the amount of \$25,000.00 are available for this need in Fund 7704, the Streets and Highways Bond Fund. An amendment to the 2019 Capital Improvements Budget is necessary for the purpose of providing sufficient spending authority for the proper project. A transfer of cash between projects within Fund 7704 is necessary to establish sufficient cash in the proper project.

### 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 amend the 2019 Capital Improvement Budget; to authorize the City Auditor to transfer funds between projects within the Streets and Highways Bond Fund; 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 various Public Private Projects around the City; to authorize the City Attorney's Office to negotiate with property owners to acquire the additional rights of way necessary to complete these projects; to authorize the expenditure of up to \$25,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$25,000.00)

**WHEREAS**, the City of Columbus is engaged in various 3P projects around the City; and

**WHEREAS**, the projects will include various capital improvements; and

**WHEREAS**, successful completion of the projects may necessitate the City acquiring fee simple title and lesser interests in and to various properties located along the project corridors as additional rights-of-way; and

**WHEREAS**, this ordinance authorizes establishing a contingency fund that 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 3P projects throughout the City in the amount of \$25,000.00; and

**WHEREAS**, it is necessary to authorize an amendment to the 2019 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditures; 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 expenditures; and

**WHEREAS**, this ordinance authorizes the City Attorney's Office, Real Estate Division, to expend \$25,000.00, 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 3P projects throughout the City; 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 establishment of this right-of-way acquisition fund to prevent unnecessary delays in the Department 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 2019 Capital Improvements Budget authorized by ordinance 1326-2019 be amended as follows to establish sufficient authority for this project:

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

7704 / P440005-100000 / UIRF Urban Infrastructure Recovery Fund (5912) (Voted Carryover) / \$1,223,249.00 / (\$25,000.00) / \$1,198,249.00

7704 / P440104-100035 / Misc. Economic Development - Misc. Right of Way Acquisition 2019 (Voted Carryover) / \$0.00 / \$25,000.00 / \$25,000.00

**SECTION 2.** That the transfer of \$25,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P440005-100000 (UIRF Urban Infrastructure Recovery Fund (5912)), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P440104-100035 (Misc. Economic Development - Misc. Right of Way Acquisition 2019), Object Class 06 (Capital Outlay) 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 to acquire the additional rights-of-way needed to complete various 3P projects throughout the City in an amount up to \$25,000.00.

**SECTION 4.** That the expenditure of \$25,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund) in Dept-Div 5912 (Design and Construction), Project P440104-100035 (Misc. Economic Development - Misc. Right of Way Acquisition 2019), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** 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.