



## Legislation Text

**File #: 2687-2019, Version: 1**

### 1. BACKGROUND

The following 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 UIRF-Agler Road Sidewalks project.

The City of Columbus is engaged in the UIRF-Agler Road Sidewalks project. This project is funded by the Urban Infrastructure Recovery Fund (UIRF). UIRF projects are developed as the result of a partnership between City staff in multiple departments and community stakeholders in central city urban areas. This project consists of new sidewalk on Agler Road from Cassady Avenue to Citygate Drive/Corban Commons Drive, and on Gatewood Road from Agler Road to the existing sidewalk approximately 80 feet north of Agler Road. Utility improvements will also be performed as part of this project.

Ordinance 0360-2019 established a hire & acquire fund to be used by the City Attorney's Office, Real Estate Division, to acquire right-of-way needed for the UIRF-Agler Road Sidewalks project. The cost to acquire the right-of-way needed to complete the project was estimated at \$25,000.00. In the ordinance it was stated that if the cost to acquire the needed right-of-way should exceed this estimate, additional legislation would be submitted to Council requesting the needed funding. Due to the joint nature of the project the Department of Public Utilities supplied the funding for the right-of-way hire & acquire portion of the project.

This legislation will add additional hire & acquire funding that will be used by the City Attorney's Office, Real Estate Division, to complete acquisition of right-of-way needed for the UIRF-Agler Road Sidewalks project. The additional cost to acquire the right-of-way needed to complete the project is estimated at \$25,000.00. If the cost to acquire the needed right-of-way should exceed this estimate, additional legislation will be submitted to Council requesting the needed funding.

### 2. FISCAL IMPACT

Funds in the amount of \$25,000.00 are budgeted and available for this expense in Fund 6109, the Sanitary Sewer General Obligation Bond Fund, in Project P650590-100000 (OSU Area Utility Easement). An amendment to the 2019 Capital Improvement Budget is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure. A transfer of cash is necessary to establish sufficient cash in the proper project for the 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 Capital Improvement Program.

To amend the 2019 Capital Improvement Budget; to authorize the City Auditor to transfer funds between projects within the Sanitary Sewer General Obligation Bond Fund; to authorize the City Attorney's Office to contract for professional services to acquire right-of-way needed for the UIRF-Agler Road Sidewalks 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 expenditure of up to \$25,000.00 from the Sanitary Sewer General Obligation Bond Fund; and to declare an emergency. (\$25,000.00)

**WHEREAS**, the City of Columbus is engaged in the UIRF-Agler Road Sidewalks project; and

**WHEREAS**, the project will install a new sidewalk on Agler Road from Cassady Avenue to Citygate Drive/Corban

Commons Drive and on Gatewood Road from Agler Road to the existing sidewalk approximately 80 feet north of Agler Road; and

**WHEREAS**, successful completion of this project necessitates the City acquire fee simple title and lesser interests in and to various properties located along the project corridor as additional rights-of-way; and

**WHEREAS**, right-of-way acquisition cost, including professional services, staff and land costs, have been estimated to total \$50,000.00; and

**WHEREAS**, Ordinance 0360-2019 authorized funding in the amount of \$25,000.00 for that purpose; and

**WHEREAS**, this ordinance authorizes additional funding in the amount of \$25,000.00 for that purpose; 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 expenditure; and

**WHEREAS**, it is necessary to authorize a transfer of funds within Fund 6109, the Sanitary Sewer General Obligation Bond Fund, to establish sufficient cash to pay for the project; 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 the UIRF-Agler Road Sidewalks 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 needed right-of-way acquisition for the project 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 1010-2018 be amended as follows to establish sufficient authority for this project:

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

6109 / P650590-100000 / OSU Area Utility Easement / \$125,162.00 / (\$25,000.00) / \$100,162.00

6109 / P650910-100000 / Agler Road Sidewalks / \$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 6109 (Sanitary Sewer General Obligation Bond Fund), from Dept-Div 6005 (Sewers and Drains), Project P650590-100000 (OSU Area Utility Easement), Object Class 06 (Capital Outlay) to Dept-Div 6005 (Sewers and Drains), Project P650910-100000 (Agler Road Sidewalks), Object Class 06 (Capital Outlay) per the accounting 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 the UIRF-Agler Road Sidewalks project 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 6109 (Sanitary Sewer General Obligation Bond Fund) in Dept-Div 6005 (Sewers and Drains), Project P650910-100000 (Agler Road Sidewalks), 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.