



## Legislation Text

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**File #:** 0134-2020, **Version:** 1

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### **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 Operation Sidewalks - School Sidewalks program.

The Department of Public Service is engaged in projects to construct sidewalks under the Operation Sidewalks - School Sidewalks program. This program constructs sidewalks in various locations throughout the City to improve safety for those that walk to and from school. Work includes the installation of sidewalks, curb ramps, drive approaches, curb, and retaining walls, and may include stormwater drainage improvements in select areas.

Right-of-way will need to be acquired to implement these improvements. Right-of-way needs have not yet been identified for all of the projects. This legislation will establish funding to acquire the right-of-way for all of the Operation Sidewalks - School Sidewalks projects as needs become identified. If the cost to acquire the needed right-of-way should exceed this initial estimated amount of \$250,000.00, additional legislation will be submitted to Council requesting the needed funding.

### **2. FISCAL IMPACT**

Funds in the amount of \$250,000.00 are budgeted and available for this project in Fund 7704, the Streets & Highways Bond Fund.

### **3. EMERGENCY DESIGNATION**

Emergency action is requested to provide 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 Operation Sidewalks - School Sidewalks program; 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 \$250,000.00 from the Streets & Highways Bond Fund; and to declare an emergency. (\$250,000.00)

**WHEREAS**, the City of Columbus is engaged in the Operation Sidewalks - School Sidewalks program; and

**WHEREAS**, the project will construct sidewalks along various locations identified in support of the Operation Sidewalks - School Sidewalks program. Installation of sidewalks will include curb ramps, drive approaches, curb, and retaining walls, and may include stormwater drainage improvements in select areas; 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 \$250,000.00; and

**WHEREAS**, this ordinance authorizes funding in the amount of \$250,000.00 for that purpose; and

**WHEREAS**, this ordinance authorizes the City Attorney's Office, Real Estate Division, to expend \$250,000.00, 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 Operation Sidewalks - School Sidewalks program; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize 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 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 Operation Sidewalks - School Sidewalks program in an amount up to \$250,000.00.

**SECTION 2.** That the expenditure of \$250,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets & Highways Bond Fund) in Dept-Div 5912 (Design and Construction), Project P590955-100056 (Operation Sidewalks - School Sidewalks (2018)), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 3.** 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 4.** 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 5.** 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 6.** 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.