



Legislation Text

File #: 1932-2020, **Version:** 1

1. BACKGROUND

This ordinance authorizes the Director of the Department of Public Service to establish a contingency fund to be used by the City Attorney's Office to acquire miscellaneous small parcels of right-of-way needed for the successful completion of Urban Infrastructure Recovery Fund (UIRF) projects throughout the City, and also authorizes the City Attorney's Office to hire professional services and to negotiate with property owners to acquire the property rights necessary to complete the various UIRF projects as needed.

UIRF projects are developed as the result of a partnership between City staff in multiple departments and community stakeholders in central city urban areas. The Department of Public Service is engaged in the design and construction of various UIRF projects throughout the City. These projects do not typically require the establishment of a project specific right-of-way acquisition fund. Due to unforeseen circumstances, it sometimes becomes necessary to acquire small parcels of right-of-way to complete a project. This contingency fund will allow these parcels to be acquired without delaying the project while awaiting the passage of an ordinance authorizing a project specific purchase.

2. FISCAL IMPACT

Funds in the amount of \$85,000.00 are available and appropriated for this expenditure 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 budget authority in the correct project.

3. EMERGENCY DESIGNATION

Emergency action is requested to provide necessary right-of-way acquisition funding to prevent delays in the completion of UIRF projects.

To amend the 2019 Capital Improvements 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 Urban Infrastructure Recovery Fund projects; to authorize the City Attorney's Office to negotiate with property owners to acquire the additional rights-of-way necessary to complete Urban Infrastructure Recovery Fund projects; to authorize the expenditure of up to \$85,000.00 from the Streets and Highways Bond Fund to acquire the needed right-of-way; and to declare an emergency. (\$85,000.00)

WHEREAS, the Department of Public Service is engaged in the design and construction of various UIRF projects throughout the City; and

WHEREAS, successful completion of UIRF projects sometimes 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, the establishment of a contingency fund will allow these small acquisitions to be made without delaying the completion of a project; and

WHEREAS, this ordinance authorizes funding in the amount of \$85,000.00 for that purpose; and

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

WHEREAS the City Attorney's Office must be authorized to expend \$85,000.00, 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 UIRF projects; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to provide right-of-way acquisition funding to prevent delays in the completion of UIRF projects, 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 (Voted Carryover) / \$65,604.00 / \$49,396.00 / \$115,000.00 (to match cash)

7704 / P440005-100000 / UIRF - Urban Infrastructure Recovery Fund (Voted Carryover) / \$115,000.00 / (\$85,000.00) / \$30,000.00

7704 / P440005-100076 / UIRF - 2020 Miscellaneous Right-of-Way Acquisitions (Voted Carryover) / \$0.00 / \$85,000.00 / \$85,000.00

SECTION 2. That the City Attorney's Office be, and hereby is, authorized to contract for professional services related to the acquisition of right-of-way, to negotiate with property owners to acquire additional rights-of-way, and to acquire fee simple title and lesser interests in and to certain parcels of real estate needed to complete UIRF projects in an amount up to \$85,000.00.

SECTION 3. That the expenditure of \$85,000.00, 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 P440005-100076 (UIRF - 2020 Misc Right-of-Way Acquisitions), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 4. 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 5. 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 6. 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 7. 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.