



Legislation Text

File #: 2196-2021, **Version:** 1

1. BACKGROUND

The following ordinance authorizes additional funding to acquire the various property rights necessary to complete the Operation Sidewalks - School Sidewalks 2018 program.

The Department of Public Service is engaged in projects to construct sidewalks under the Operation Sidewalks - School Sidewalks 2018 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.

Ordinance 0134-2020 authorized the City Attorney's Office to hire professional services and to negotiate with property owners to acquire the various property rights necessary to complete the Operation Sidewalks - School Sidewalks 2018 project. Funding in the amount of \$250,000.00 was established to begin acquiring the needed property rights.

Ordinance 0217-2021 authorized an additional \$240,000.00 in funding to acquire the various property rights necessary to acquire the various property rights necessary to complete the Operation Sidewalks - School Sidewalks 2018 program. This ordinance requests an additional \$240,000.00 that is estimated to be needed to complete acquisition for this project.

The Department of Public service is currently finalizing construction plans and is prepared to authorize right-of-way acquisition pending passage of this funding legislation.

2. FISCAL IMPACT

Funds in the amount of \$240,000.00 are budgeted, appropriated and available for this project in Fund 7704, the Streets & Highways Bond Fund. An amendment to the 2020 Capital Improvements Budget is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

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 amend the 2020 Capital Improvement Budget; to authorize the City Attorney's Office to contract for professional services, to negotiate with property owners, and to acquire fee simple title and lesser interests in and to property needed for the Operation Sidewalks - School Sidewalks 2018 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 \$240,000.00 from the Streets & Highways Bond Fund; and to declare an emergency. (\$240,000.00)

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 2018 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, Ordinance 0134-2020 authorized the City Attorney's Office to expend up to \$250,000.00 to hire

professional services and to negotiate with property owners to begin acquisition of the various property rights necessary to complete the Operation Sidewalks - School Sidewalks 2018 program; and

WHEREAS, Ordinance 0217-2021 authorized additional funding in the amount of \$240,000.00 to hire professional services and to negotiate with property owners to begin acquisition of the various property rights necessary to complete the Operation Sidewalks - School Sidewalks 2018 program; and

WHEREAS, this ordinance authorizes additional funding in the amount of \$240,000.00 for that purpose; and

WHEREAS, it is necessary to authorize an amendment to the 2020 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, this ordinance authorizes the City Attorney's Office, Real Estate Division, to negotiate with property owners to acquire the various property rights necessary to complete the Operation Sidewalks - School Sidewalks 2018 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 the City Attorney, on behalf of the Director, to expend \$240,000.00, or so much thereof as may be necessary, to hire professional services to acquire right-of-way parcels 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 2020 Capital Improvements Budget authorized by ordinance 2521-2020 be amended as follows to establish sufficient authority for this project:

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

7704 / P590955-100034 / Operation Sidewalks - School Sidewalks - Olive Street - Floral Avenue (Voted 2019 SIT Supported) / \$90,000.00 / (\$90,000.00) / \$0.00

7704 / P590955-920059 / Operation Sidewalks - School Sidewalks - Refugee (Noe Bixby to Blue Moon) (Voted 2019 SIT Supported) / \$1,645,000.00 / (\$80,000.00) / \$1,565,000.00

7704 / P590955-100056 / Operation Sidewalks - School Sidewalks (2018) (Voted 2019 SIT Supported) / \$0.00 / \$170,000.00 / \$170,000.00

SECTION 2. 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 2018 program in an amount up to \$240,000.00.

SECTION 3. That the expenditure of \$240,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets & Highways Bond Fund) in Dept-Div 5911 (Infrastructure Management), 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 4. That 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.