



## Legislation Text

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**File #:** 1445-2022, **Version:** 1

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### **1. BACKGROUND**

The following ordinance 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 Improvements of Olive Street and Floral Avenue project in the Hilltop Planning Area (53).

The Department of Public service is engaged in the Operation Sidewalks - School Sidewalks Improvements of Olive Street and Floral Avenue project. The project will add compliant sidewalk and improve existing curb ramps along Olive Street from Powell Avenue to Wayne Avenue and along Floral Avenue from Oakley Avenue to Highland Avenue.

The cost to acquire the right-of-way needed to complete the project is estimated at \$90,000.00. 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.

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**

There is a reimbursable budgeted amount of \$90,000.00 for this project within the Federal Transportation Grants Fund, Fund 7765, Grant G592202 (Olive St and Floral Ave 113727). Funds will need to be appropriated.

### **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 ensure the safety of the traveling public.

To authorize the City Auditor to appropriate \$90,000.00 within the Federal Transportation Grants Fund; to authorize the City Attorney's Office, Real Estate Division, 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 Improvements of Olive Street and Floral Avenue project; to authorize the City Attorney's Office, Real Estate Division, to negotiate with property owners to acquire the additional rights of way necessary to complete this project; to authorize the expenditure of \$90,000.00 from the Federal Transportation Grants Fund; and to declare an emergency. (\$90,000.00)

**WHEREAS**, the City of Columbus is engaged in the Operation Sidewalks - School Sidewalks Improvements of Olive Street and Floral Avenue project; and

**WHEREAS**, the project will include compliant sidewalk and improve existing curb ramps along Olive Street from Powell Avenue to Wayne Avenue and along Floral Avenue from Oakley Avenue to Highland Avenue; 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 \$90,000.00; and

**WHEREAS**, Federal Transportation grant funds will be used to pay for a portion of this project; and

**WHEREAS**, this ordinance authorizes funding in the amount of \$90,000.00 for that purpose; and

**WHEREAS**, it is necessary to authorize the City Auditor to appropriate \$90,000.00 within the Federal Transportation Grants Fund; and

**WHEREAS**, this ordinance authorizes the City Attorney's Office Real Estate Division to expend \$90,000.00, 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 Improvements of Olive Street and Floral Avenue 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 necessary right-of-way acquisition for the project to prevent unnecessary delays in the Department of Public Service's Capital Improvement Program, to ensure the safety of the traveling public 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 from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ended December 31, 2022, the sum of \$90,000.00 is appropriated in Fund 7765 (Federal Transportation Grants Fund), Dept-Div 5912 (Design & Construction), Grant G592202 (Olive St and Floral Ave 113727), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**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 Improvements of Olive Street and Floral Avenue project in an amount up to \$90,000.00.

**SECTION 3.** That the expenditure of \$90,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7765 (Federal Transportation Grants Fund), Dept-Div 5912 (Design & Construction), Grant G592202 (Olive St and Floral Ave 113727), 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.** At the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

**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.