



## Legislation Text

File #: 1714-2022, Version: 1

### 1. BACKGROUND

The City of Columbus Department of Public Service, Division of Design and Construction, frequently must acquire minor parcels of permanent and temporary right-of-way for the Resurfacing program and associated ADA Curb Ramp improvements throughout the City. To expedite the right-of-way acquisition process, the following legislation establishes a contingency fund in the amount of \$50,000.00 for the City Attorney's Office, Real Estate Division, to hire professional services, negotiate with property owners, and acquire such parcels as they are identified.

### 2. FISCAL IMPACT

Funding, in the amount of \$50,000.00 is available within the Department of Public Service's 2021 Capital Improvement Budget, Streets and Highways Bond Fund, Fund 7704. An amendment to the 2021 Capital Improvements Budget is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure. Funds are appropriated.

### 3. EMERGENCY DESIGNATION

Emergency action is requested in that it is necessary to establish the contingency fund so acquisition-related activities can begin immediately upon identification of necessary parcels, preventing delays in project construction schedules.

To amend the 2021 Capital Improvement Budget; to authorize the City Attorney's Office to hire professional services, negotiate with property owners, and expend those funds necessary to acquire minor parcels of permanent and temporary right-of-way for various street resurfacing projects within the City; to expend up to \$50,000.00 from the Streets and Highways Bond Fund to acquire the right-of-way; and to declare an emergency. (\$50,000.00)

**WHEREAS**, the City of Columbus Department of Public Service frequently must acquire minor parcels of permanent and temporary right-of-way for various street resurfacing projects within the City; and

**WHEREAS**, a contingency fund in the amount of \$50,000.00 is needed for use by the City Attorney's Office, Real Estate Division, to hire professional services, negotiate with property owners, and acquire such parcels as they are identified in order to expedite the right-of-way acquisition process; and

**WHEREAS**, it is necessary to authorize an amendment to the 2021 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is necessary to establish the contingency fund so acquisition-related activities can begin immediately upon identification of necessary parcels, preventing delays in project construction schedules, 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 2021 Capital Improvements Budget authorized by ordinance 2707-2021 be amended as follows to establish sufficient authority for this project:

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

7704 / P530282-100051 / Resurfacing - Resurfacing Projects (Voted 2019 SIT Supported) / \$2,650,335.00 / (\$50,000.00) / \$2,600,335.00

7704 / P530282-100125 / Resurfacing - In House Design Right of Way Fund (Voted 2019 SIT Supported) / \$0.00 / \$50,000.00 / \$50,000.00

**SECTION 2.** That the City Attorney's Office, Real Estate Division, be and is hereby authorized to hire professional services, negotiate with property owners, and expend those funds necessary to acquire minor parcels of permanent and temporary right-of-way for various projects throughout the City as such parcels are identified.

**SECTION 3.** That the expenditure of \$50,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5911 (Infrastructure Management), Project P530282-100125 (Resurfacing-In House Design Right of Way Fund), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, 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.