



## Legislation Text

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**File #:** 1741-2022, **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 Intersection - Broad Street at James Road project.

The Department of Public service is engaged in the Intersection - Broad Street at James Road project. The project will construct dual southbound left-turn lanes, provide protected only southbound left-turn phasing and realign northbound and southbound left-turn lanes to provide additional sight distance. It will also include, exclusive right-turn lanes on the northbound and southbound approaches, reconstruct the existing traffic signal with backplates, and modify signal timing.

Ordinance 1227-2021 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 Intersection - Broad Street at James Road project. Funding in the amount of \$569,645.00 was established to begin acquiring the needed property rights. This ordinance requests an additional \$416,605.00 that is estimated to be needed to complete the acquisition for this project. 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 \$326,605.00 for this project within the Federal Transportation Grants Fund, Fund 7765, Grant #G592104 (Broad St at James Rd 110388). Funds will need to be appropriated.

The remaining balance of \$90,000.00 is available within the Streets and Highways Bond Fund, Fund 7704. The funds are 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 \$326,605.00 within the Federal Transportation Grants Fund; 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 Intersection - Broad Street at James Road 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 up to \$416,605.00 from the Streets & Highways Bond Fund and the Federal Transportation Grants Fund; and to declare an emergency. (\$416,605.00)

**WHEREAS**, the City of Columbus is engaged in the Intersection - Broad St at James Rd project; and

**WHEREAS**, the project will include constructing dual southbound left-turn lanes, providing protected-only southbound left-turn phasing and realigning northbound and southbound left-turn lanes to provide additional sight distance; 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 1227-2021 authorized the City Attorney's Office to expend up to \$569,645.00 to hire professional services and to negotiate with property owners to begin acquisition of the various property rights necessary to complete the Intersection - Broad Street at James Road project; and

**WHEREAS**, additional right-of-way acquisition cost, including professional services, staff and land costs, have been estimated to total \$416,605.00; 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 \$416,605.00 for that purpose; and

**WHEREAS**, it is necessary to authorize the City Auditor to appropriate \$326,605.00 within the Federal Transportation Grants Fund; and

**WHEREAS**, this ordinance authorizes the City Attorney's Office Real Estate Division to expend \$416,605.00, 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 Intersection - Broad St. at James Rd. 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 City Attorney to execute the necessary right-of-way acquisitions 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 \$326,605.00 is appropriated in Fund 7765 (Federal Transportation Grants Fund), Dept-Div 5912 (Design and Construction), Grant #G592104 (Broad St at James Rd 110388), 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 Intersection - Broad St at James Rd project in an amount up to \$416,605.00.

**SECTION 3.** That the expenditure of \$90,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund) in Dept-Div 5913 (Traffic Management), Project P538005-100000 (Intersection - Broad St at James Rd), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That the expenditure of \$326,605.00, or so much thereof as may be needed, is hereby authorized in Fund 7765 (Federal Transportation Grants Fund), Dept-Div 5912 (Design and Construction), Grant #G592104 (Broad St at James Rd 110388), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** 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 6.** 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 7.** 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 8.** 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 9.** 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.