



Legislation Details (With Text)

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On agenda: 6/27/2005 **Final action:** 6/30/2005

Title: To grant consent and propose cooperation with Dominion Homes to provide design services for the improvement of the Britton/Cosgray connecting road and Avery Road consistent with the Memorandum of Understanding for financial commitments for infrastructure improvements based on the Pay As We Grow Plan for the Hayden Run Corridor; to authorize the Public Service Director to enter into agreement(s) with Dominion Homes as necessary to complete the construction of this improvement, and to declare an emergency. (\$-0-)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/30/2005	1	CITY CLERK	Attest	
6/29/2005	1	MAYOR	Signed	
6/27/2005	1	Columbus City Council	Approved	Pass
6/27/2005	1	COUNCIL PRESIDENT PRO-TEM	Signed	
6/10/2005	1	CITY ATTORNEY	Reviewed and Approved	
6/10/2005	1	SERVICE DIRECTOR	Sent to Clerk's Office for Council	
6/9/2005	1	Service Drafter	Sent for Approval	
6/9/2005	1	SERVICE DIRECTOR	Reviewed and Approved	
6/9/2005	1	Service Drafter	Sent for Approval	
6/2/2005	1	Service Drafter	Sent for Approval	
6/1/2005	1	Service Reviewer	Reviewed and Approved	
5/24/2005	1	Service Drafter	Sent for Approval	

Background: This consent legislation authorizes the City to execute a cooperation agreement with Dominion Homes for the improvement of the Britton/Cosgray connecting road and Avery Road. The work is designated as elements HR-2 and HR-9 in the Memorandum of Understanding that was authorized by Ordinance 1433-2004 passed by City Council on November 22, 2004. The project will connect Hayden Run Road with Avery Road to the east and widen Avery Road. The connector will be five lanes wide and have a curbed grass/concrete median. The streetscape will also feature curbs, gutters, sidewalks, lighting, signalization and an enclosed storm drainage system where possible. A structure at least 100 feet in length will be constructed over the existing Conrail tracks in the path of the connecting road. The work is a component of the Hayden Run corridor development.

This project's design costs will be funded by the Hayden Run corridor developers that are represented by Dominion Homes. The City will provide administration and review services for the design. Per the Memorandum of Understanding, Dominion Homes and other developers will make payments to an account established by the City from which project costs will be paid. The Memorandum of Understanding details the responsibilities of each party.

Fiscal Impact: Funding will be provided from an account established by the City for the purpose of reimbursing developers for expenditures incurred in connection with the project. This ordinance provides consent only. No financial participation is required from the City at this time.

Emergency action is requested to keep this project on schedule and within budget.

To grant consent and propose cooperation with Dominion Homes to provide design services for the improvement of the Britton/Cosgray connecting road and Avery Road consistent with the Memorandum of Understanding for financial commitments for infrastructure improvements based on the Pay As We Grow Plan for the Hayden Run Corridor; to authorize the Public Service Director to enter into agreement(s) with Dominion Homes as necessary to complete the construction of this improvement, and to declare an emergency. (\$-0-)

WHEREAS, the City has identified the need for and proposes the improvement of a portion of public highway that is described as follows:

Construction of a new connecting road between Cosgray Road and Avery Road including construction of a bridge over the Conrail railroad track, with portions of said highway within the municipal corporation limits being hereinafter referred to as the improvement; and

WHEREAS, this work is designated as elements HR-2 and HR-9 in the Memorandum of Understanding that was authorized by Ordinance 1433-2004 passed by City Council on November 22, 2004; and

WHEREAS, the City further desires cooperation from Dominion Homes in the planning, design and construction of said improvement; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department in that it is immediately necessary to provide consent for this project so it can proceed according to established timelines, 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 City of Columbus consents to the design and construction of the widening of a new connecting road between Cosgray Road and Avery Road including construction of a bridge over the Conrail railroad track as follows: (a) private development will assume one hundred percent (100%) of the design and construction costs; (b) the City will reimburse Dominion Homes out of a fund established for this purpose; and (c) this agreement provides for consent only with no financial participation being required from the City at this time.

SECTION 2. That the Public Service Director be and hereby is authorized to enter into such agreement(s) with Dominion Homes as necessary to complete the construction of this improvement on behalf of the City consistent with this ordinance, Ordinance 1433-2004 and the Memorandum of Understanding for financial commitments for infrastructure improvements based on the Pay As We Grow Plan for the Hayden Run Corridor.

SECTION 3. 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.