



Legislation Details (With Text)

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Title: To authorize the Director of the Department of Finance and Management to execute Right of Entry agreements allowing the State of Ohio, Department of Transportation, immediate access to City owned parcels for construction of the FRA-70-13.10 Project; and to declare an emergency.

Sponsors:

Indexes:

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Date	Ver.	Action By	Action	Result
2/27/2020	1	CITY CLERK	Attest	
2/26/2020	1	MAYOR	Signed	
2/24/2020	1	COUNCIL PRESIDENT	Signed	
2/24/2020	1	Columbus City Council	Approved	Pass

BACKGROUND: The City and the State of Ohio, Department of Transportation (“ODOT”) are currently engaged in a joint project to transform the I70/71 corridor through downtown. The construction will encompass several individual projects and phases. As a part of ODOT’s FRA-70-13.10 project (“Project”), the City will need to transfer several parcels to ODOT. It is the intention of the City to transfer the fee simple and lesser interests in these Parcels to ODOT and legislation authorizing the transfer of these parcels and any compensation that the City will receive from ODOT will be submitted in subsequent legislation at a later date. However, in order to clear the right of way, which will facilitate commencement of construction activities of the joint project, ODOT has requested the City grant them a Right of Entry for several parcels in the Project including, but not limited to, parcels designated as 23A, 23T, 23LA1, 23LA2, 23LA3 and 25T. It is in the best interest of the City to allow ODOT access the Property so as to not cause delays in the Project. The following Legislation allows for the Director of the Department of Finance and Management, to execute Right of Entry Agreements, as approved by the Department of Law, Real Estate Division, with ODOT.

CONTRACT COMPLIANCE: Not applicable.

FISCAL IMPACT: Not applicable.

EMERGENCY JUSTIFICATION: Emergency action is requested in order to grant ODOT access to the Property so that they can complete the Project without unnecessary delay, which will preserve the public peace, health, property, safety and welfare.

To authorize the Director of the Department of Finance and Management to execute Right of Entry agreements allowing the State of Ohio, Department of Transportation, immediate access to City owned parcels for construction of the FRA-70-13.10 Project; and to declare an emergency.

WHEREAS, the City is the owner of real property which is part of the I70/71 corridor transformation FRA-70-13.10 project (“Project”); and

WHEREAS, the State of Ohio, Department of Transportation (“ODOT”) has determined that parcels, including but not limited to, parcels designated as 23A, 23T, 23LA1, 23LA2, 23LA3 and 25T will be needed as part of the Project; and

WHEREAS, pending the intended transfer of fee simple title and lesser interests in the Property which will be addressed and legislated in a future ordinance, ODOT has requested Rights of Entry in order to allow immediate access to the Property to facilitate the commencement of the Project’s construction; and

WHEREAS, it is in the best interest of the City to allow ODOT to have immediate access to said property to allow the Project to proceed without delay; and

WHEREAS, an emergency exists in the usual daily operations of the City in that it is immediately necessary to grant ODOT access to the Property through Rights of Entry in order to prevent unnecessary delay in completing the Project, which will preserve the public peace, property, health, welfare, and safety; and **now, therefore:**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of the Department of Finance and Management be and hereby is authorized to execute Right of Entry Agreements, approved by the Department of Law, Real Estate Division, allowing the State of Ohio, Department of Transportation immediate access to City owned property including but not limited to parcels designated as 23A, 23T, 23LA1, 23LA2, 23LA3 and 25T which are part of the I70/71 corridor transformation [FRA-70-13.10] project.

SECTION 2. That this ordinance, for the reasons stated in the preamble, which are made a part of this ordinance and fully incorporated for reference as if rewritten, is declared to be an emergency measure and shall take effect and be in force from and after this ordinance’s adoption and approval by the Mayor or ten (10) days after its adoption if the Mayor neither approves nor vetoes this ordinance.