



## Legislation Details (With Text)

**File #:** 0867-2010      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 6/3/2010      **In control:** Public Service & Transportation Committee

**On agenda:** 7/26/2010      **Final action:** 7/28/2010

**Title:** To authorize the Director of the Department of Public Service to execute those documents prepared by the Department of Law necessary to transfer 2 parcels of City owned right-of-way totaling 29,595 square feet, to the Ohio Department of Transportation for the North Interchange (FRA-71-17.76, FRA-670-4.19) phase of the I-70/I-71 Reconstruction project; to the extent they may apply to waive the competitive bidding provisions and the Land Review Commission requirements of Columbus City Codes; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 0867-2010 Leonard.pdf

Date	Ver.	Action By	Action	Result
7/28/2010	2	CITY CLERK	Attest	
7/27/2010	2	MAYOR	Signed	
7/26/2010	1	Columbus City Council	Taken from the Table	Pass
7/26/2010	2	Columbus City Council	Amended to 30 day	Pass
7/26/2010	2	Columbus City Council	Approved as Amended	Pass
7/26/2010	2	COUNCIL PRESIDENT PRO-TEM	Signed	
6/21/2010	1	Columbus City Council	Tabled Indefinitely	Pass
6/10/2010	1	CITY ATTORNEY	Reviewed and Approved	
6/10/2010	1	Service Drafter	Sent to Clerk's Office for Council	
6/9/2010	1	Service Reviewer	Reviewed and Approved	
6/9/2010	1	Service Drafter	Sent for Approval	
6/9/2010	1	SERVICE DIRECTOR	Reviewed and Approved	
6/9/2010	1	Service Drafter	Sent for Approval	
6/3/2010	1	Service Drafter	Sent for Approval	

### 1. BACKGROUND

The Ohio Department of Transportation ("ODOT") is currently engaged in a project identified as the I-70/I-71 Reconstruction project through downtown Columbus, Ohio. The goal of this project is to reduce traffic congestion, travel delays and safety hazards within the project corridor by adding lanes, consolidating ramps and minimizing traffic weaving movements. The current plan is to construct this project in three phases. The first phase, the North Interchange project, is a design/build project scheduled to be constructed in 2011; phase 2 of this project, the East Interchange project, is currently scheduled for construction in 2013; and construction of phase 3, the East Trench Project, is scheduled for 2015.

During design of the North Interchange project, also known as FRA-71-17.76, FRA-670-4.19, it was determined portions of the existing I-670 bikeway adjacent to Jack Gibbs Boulevard and Leonard Avenue would need to be relocated to accommodate the improvements contemplated by this project. In an effort to limit right-of-way impacts to the adjacent neighborhoods, ODOT would

like to acquire and use existing City of Columbus ("City") right-of-way whenever possible. Current plans indicate two (2) parcels of City right-of-way, totaling 29,595 square feet will need to be transferred to ODOT for this purpose. After review of the preliminary plan sheets, the Department of Public Service has determined the transfer of these rights-of-way to ODOT will not adversely affect the City and should be allowed to proceed.

## **2. FISCAL IMPACT**

In the spirit of intergovernmental cooperation, the City has agreed to transfer these rights-of-way to ODOT at no charge.

## **3. EMERGENCY DESIGNATION**

To keep construction of this project in state fiscal year 2011, the project will be advertised for bids in September 2010. Emergency action is requested to allow these transfers to be completed by September 1, 2010.

To authorize the Director of the Department of Public Service to execute those documents prepared by the Department of Law necessary to transfer 2 parcels of City owned right-of-way totaling 29,595 square feet, to the Ohio Department of Transportation for the North Interchange (FRA-71-17.76, FRA-670-4.19) phase of the I-70/I-71 Reconstruction project; to the extent they may apply to waive the competitive bidding provisions and the Land Review Commission requirements of Columbus City Codes; ~~and to declare an emergency.~~

**WHEREAS**, the Ohio Department of Transportation ("ODOT") is currently engaged in a project identified as the I-70/I-71 Reconstruction project through downtown Columbus, Ohio; and

**WHEREAS**, the goal of this project is to reduce traffic congestion, delays and safety hazards within the project corridor by adding lanes, consolidating ramps and minimizing traffic weaving movements; and

**WHEREAS**, the current plan is to construct this project in three phases - the first phase, the North Interchange project, is a design/build project scheduled to be constructed in 2011; phase 2 of this project, the East Interchange project, is currently scheduled for construction in 2013; and construction of phase 3, the East Trench Project, is scheduled for 2015; and

**WHEREAS**, during design of the North Interchange project, also known as FRA-71-17.76, FRA-670-4.19, it was determined portions of the existing I-670 bikeway adjacent to Jack Gibbs Boulevard and Leonard Avenue would need to be relocated to accommodate the improvements contemplated by this project; and

**WHEREAS**, in an effort to limit right-of-way impacts to the adjacent neighborhoods, ODOT would like to acquire and use existing City of Columbus ("City") right-of-way whenever possible; and

**WHEREAS**, current plans indicate two (2) parcels of City right-of-way, totaling 29,595 square feet will need to be transferred to ODOT for this purpose; and

**WHEREAS**, after review of the preliminary plan sheets, the Department of Public Service has determined the transfer of these rights-of-way to ODOT will not adversely affect the City and should be allowed to proceed; and

**WHEREAS**, in the spirit of intergovernmental cooperation, the City has agreed to transfer these rights-of-way to ODOT at no charge; and

**WHEREAS**, in an effort to keep construction of this project in state fiscal year 2011, the project will be advertised for bids in September 2010; 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 Director to execute those documents prepared by the Department of Law necessary to transfer 2 parcels of City owned right-of-way totaling 29,595 square feet, to the Ohio Department of Transportation for the North Interchange (FRA-71-17.76, FRA-670-4.19) phase of the I-70/I-71 split project by September 1, 2010 for the preservation of 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 Director of the Department of Public Service be and hereby is authorized to execute those documents prepared by the Department of Law necessary to transfer 2 parcels of City owned right-of-way totaling approximately 29,595 square feet, to the

Ohio Department of Transportation for the North Interchange (FRA-71-17.76, FRA-670-4.19) phase of the I-70/I-71 Reconstruction project.

**Section 2.** That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.29 with regards to the transfer of this right-of-way.

**Section 3.** That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred without requiring a recommendation from Land Review Commission and hereby waives the Land Review Commission provisions of Columbus City Codes (1959) Revised, Section 328.01 with regards to the transfer of this right-of-way.

**Section 4.** ~~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.~~ **That this ordinance shall take effect from and after the earliest period allowed by law.**