



## Legislation Details (With Text)

**File #:** 0870-2009      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/10/2009      **In control:** Recreation & Parks Committee  
**On agenda:** 9/14/2009      **Final action:** 9/16/2009  
**Title:** To authorize the Director of Recreation and Parks to enter into an agreement with the Ohio Department of Transportation for the development of a pedestrian/bikeway bridge; to authorize an expenditure of \$663,269.00, and to declare an emergency. (\$663,269.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/16/2009	1	CITY CLERK	Attest	
9/15/2009	1	MAYOR	Signed	
9/14/2009	1	Columbus City Council	Approved	Pass
9/14/2009	1	COUNCIL PRESIDENT	Signed	
7/15/2009	1	Rec & Parks Drafter	Sent for Approval	
7/15/2009	1	CITY ATTORNEY	Reviewed and Disapproved	
7/15/2009	1	Rec & Parks Drafter	Sent for Approval	
7/15/2009	1	CITY ATTORNEY	Reviewed and Approved	
7/15/2009	1	Rec & Parks Drafter	Sent to Clerk's Office for Council	
7/14/2009	1	FINANCE DIRECTOR	Reviewed and Approved	
7/14/2009	1	Rec & Parks Drafter	Sent for Approval	
7/14/2009	1	Auditor Reviewer	Reviewed and Approved	
7/14/2009	1	CITY AUDITOR	Reviewed and Approved	
7/14/2009	1	Rec & Parks Drafter	Sent for Approval	
7/14/2009	1	CITY ATTORNEY	Reviewed and Disapproved	
7/13/2009	1	Finance Reviewer	Reviewed and Approved	
7/13/2009	1	Finance Reviewer	Reviewed and Approved	
7/9/2009	1	Rec & Parks Drafter	Sent for Approval	
7/8/2009	1	Rec & Parks Drafter	Sent for Approval	
7/8/2009	1	EBOCO Reviewer	Reviewed and Approved	
7/8/2009	1	ODI DIRECTOR	Reviewed and Approved	
7/7/2009	1	REC & PARKS DIRECTOR	Reviewed and Approved	
7/7/2009	1	Rec & Parks Drafter	Sent for Approval	

7/7/2009	1	EBOCO Reviewer	Reviewed and Disapproved
6/24/2009	1	Rec & Parks Drafter	Sent for Approval
6/19/2009	1	Rec & Parks Drafter	Sent to Clerk's Office for Council

**Background:**

This ordinance will authorize the Director of Recreation and Parks to enter into an agreement with the Director of Transportation for the Ohio Department of Transportation for the construction of a pedestrian/bikeway bridge across the Scioto River, the CSX railroad tracks, and intersection improvements at McKinley Avenue. In order to proceed with the project, the City needs to prepare legislation and to encumber 100% of the local costs of the project.

Participation in this project was authorized by Ordinance No. 1132-2006. The legislation enacted by the LPA, hereinafter referred to as the Legislative Authority/Local Public Agency or LPA.

Emergency action is requested to allow this project to proceed in a timely manner.

**Fiscal Impact:**

\$663,269.00 is budgeted in the Recreation and Parks 1999 and 2004 Voted Bond Fund to meet the financial obligation of this agreement.

To authorize the Director of Recreation and Parks to enter into an agreement with the Ohio Department of Transportation for the development of a pedestrian/bikeway bridge; to authorize an expenditure of \$663,269.00, and to declare an emergency. (\$663,269.00)

**WHEREAS**, it is necessary for the Recreation and Parks Department to enter into an agreement with the Ohio Department of Transportation to connect the existing Scioto Trail to the McKinley Avenue/Harper Road intersection; and

**WHEREAS**, on the 26<sup>th</sup> day of June, 2006, the LPA enacted legislation (Ordinance #1132-2006) proposing cooperation with the Director of Transportation for the described project:

**Construct a multi-use trail approximately 0.27 miles in length to connect the existing Scioto Trail to the McKinley Avenue/Harper Road intersection consisting of a pedestrian/bikeway bridge across the Scioto River and the existing CSX Railroad track, lying within the City of Columbus; and**

**WHEREAS**, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

**The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid MORPC funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the City agrees to assume and bear one hundred percent (100%) of the cost of Preliminary Engineering and Right-of-Way, excluding in-house preliminary engineering and Right-of-Way charges incurred by the State. The whole project is worth about \$3 million and the City of Columbus is contributing 20% (which is what this legislation is for). Of this 20%, it is 100% from capital monies.**

**The share of the cost of the City of Columbus is now estimated in the amount of Six Hundred Sixty Three Thousand Two Hundred Sixty Nine and - - - - 00/100 Dollars, (\$663,269.00), but said estimated amount is to be adjusted in order that the City of Columbus' ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and**

**WHEREAS**, The Director of Transportation has approved said legislation (Ordinance #1132-2006) proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

**WHEREAS**, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is

immediately necessary to enter into this agreement, transfer and expend these funds to allow this project to proceed in a timely manner; now, therefore

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

**SECTION 1.** That the Director of Recreation and Parks be and he is authorized to enter into an agreement with the Director of Transportation, Ohio Department of Transportation, for the construction of of a pedestrian/bikeway bridge across the Scioto River, the CSX railroad tracks, and intersection improvements at McKinley Avenue.

**SECTION 2.** That the expenditure of \$663,269.00, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1999 and 2004 Parks and Recreation Bond Fund No. 702, Dept. 51-01, Project No. 510229, OCA Code 644526, Object Level 3 6621, to pay the cost thereof.

**SECTION 3.** 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; except that no transfer shall be so made from a project account funded by monies from more than one source.

**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.