



Legislation Details (With Text)

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File created: 10/4/2005 **In control:** Public Service & Transportation Committee

On agenda: 10/24/2005 **Final action:** 10/26/2005

Title: To authorize the Director of the Public Service Department to execute various agreements by and between the City of Columbus and the Greater Columbus Habitat for Humanity authorizing Greater Columbus Habitat for Humanity to remove recyclable materials from structures purchased by the City as a part of the Hard Road, Phase C, Improvement Project; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/26/2005	1	ACTING CITY CLERK	Attest	
10/25/2005	1	MAYOR	Signed	
10/24/2005	1	Columbus City Council	Approved	Pass
10/24/2005	1	COUNCIL PRESIDENT	Signed	
10/14/2005	1	CITY ATTORNEY	Reviewed and Approved	
10/14/2005	1	SERVICE DIRECTOR	Sent to Clerk's Office for Council	
10/13/2005	1	SERVICE DIRECTOR	Reviewed and Approved	
10/4/2005	1	Service Drafter	Sent for Approval	
10/4/2005	1	Service Reviewer	Reviewed and Approved	

The Federal Highway Administration, the State of Ohio and the City of Columbus are engaged in the design, right-of-way acquisition and construction of the Hard Road Improvement Project. As a part of Phase C (Linworth Road to SR-315) of this project the City has acquired a total of twelve (12) structures, more fully identified as 911 Hard Road; 899 Hard Road; 885 Hard Road; 871 Hard Road; 859 Hard Road; 845 Hard Road; 833 Hard Road; 783 Hard Road; 767 Hard Road; 749 Hard Road; 731 Hard Road; 715 Hard Road. The Public Service Department, Transportation Division, in cooperation with the Development Department, Land Management Office, investigated the possibility of moving and renovating these structures before determining that due to the size, location, and geography of the land adjacent to these structures that moving them is not a viable option.

The Greater Columbus Habitat for Humanity ("GCHFH") responded affirmatively to a request by the City if they had an interest in the structures and/or components. Again, due to the location the structures, GCHFH was not interested in the structures themselves but can scavenge the recyclable fixtures. After removal of recyclable materials the GCHFH will offer these items for sale through its "Build It Again Center" and use the proceeds from the sale of recycled materials to purchase new building materials for Habitat for Humanity homes in the Columbus area. GCHFH has agreed that all removal work will be completed before this project is first advertised for bids or by December 31, 2006, whichever occurs first and that their employees and volunteers will leave the structures secure and safe when they exit the properties. This legislation authorizes the Director of the Public Service Department to enter into agreements with GCHFH which set forth specific terms and conditions upon which GCHFH may enter and remove fixtures and other such items from any structures that may be found on the parcels acquired by the City of Columbus as a part of the Hard Road, Phase C, Improvement Project.

Fiscal Impact: There is no direct fiscal impact to the City as a result of the execution of these agreements and the removal of recyclable materials from these sites. By allowing GCHFH to remove recyclable material we are conserving landfill space, reducing the demolition costs, allowing taxpayers the opportunity to purchase building materials at a reduced cost through the Habitat recycle shop and helping Habitat generate money to be used for the purchase of new building materials for affordable houses in the Central Ohio area.

Emergency Justification: Emergency action is requested to allow the Greater Columbus Habitat for Humanity to enter onto these properties and remove recyclable materials from the interior of these structures before the arrival of winter weather. Otherwise winterization of certain assets (plumbing fixtures for example) will be necessary in order to protect them from freezing.

To authorize the Director of the Public Service Department to execute various agreements by and between the City of Columbus and the Greater Columbus Habitat for Humanity authorizing Greater Columbus Habitat for Humanity to remove recyclable materials from structures purchased by the City as a part of the Hard Road, Phase C, Improvement Project; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency.

WHEREAS, the Federal Highway Administration, the State of Ohio and the City of Columbus are engaged in the design, right-of-way acquisition and construction of that project identified as the Hard Road Improvement Project; and

WHEREAS, as a part of Phase C (Linworth Road to SR-315) of this project the City has acquired a total of twelve (12) structures, more fully identified as 911 Hard Road; 899 Hard Road; 885 Hard Road; 871 Hard Road; 859 Hard Road; 845 Hard Road; 833 Hard Road; 783 Hard Road; 767 Hard Road; 749 Hard Road; 731 Hard Road; 715 Hard Road; and

WHEREAS, the City has determined it does not need these structures, their fixtures, or any items attached to them and further, that these structures must be completely demolished by the City or its contractors prior to the commencement of highway construction related to the Hard Road Improvement project; and

WHEREAS, GCHFH has requested that, prior to the demolition of these structures, the City permit it to enter upon these lands and into said structures for the purpose of allowing it to remove any recyclable fixtures and other such items that have no value to the City; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to authorize the Director of the Public Service Department to execute agreements which establish the terms and conditions upon which GCHFH may enter upon these lands for the purpose of removing fixtures and other such items from any structures that may be found thereon; agreements which grant GCHFH permission to enter onto said lands; and agreements which release the City from any liability associated with GCHFH's actions relating to these properties for the immediate 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 Public Service Department be and is hereby authorized to execute agreements necessary to allow Greater Columbus Habitat for Humanity to enter upon and remove recyclable materials from those structures located at 911 Hard Road; 899 Hard Road; 885 Hard Road; 871 Hard Road; 859 Hard Road; 845 Hard Road; 833 Hard Road; 783 Hard Road; 767 Hard Road; 749 Hard Road; 731 Hard Road; and 715 Hard Road prior to the demolition of these structures for the Hard Road, Phase C, Improvement project.

Section 2 That this Council has determined it is in the best interest of the City of Columbus to authorize the Greater Columbus Habitat for Humanity ("GCHFH") to remove any recyclable fixtures and other items that have no value to the City from these structures prior to the demolition of these structures without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Sections 329.29 and 329.30 with regards to the removal of such items.

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.