



## Legislation Text

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**File #: 0549-2024, Version: 1**

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### **1. BACKGROUND**

This legislation authorizes the Director of the Department of Public Service to grant consent and propose cooperation with the Ohio Department of Transportation (ODOT) relative to FRA-161-15.80 project, PID 117607.

The aforementioned effort is intended to construct Noise Walls and Noise Abatement Safety Barriers along SR 161 within the City of Columbus, along with other associated work within City limits.

### **2. FISCAL IMPACT**

There is no anticipated cost to the City for this project, as ODOT shall assume and bear all associated preliminary engineering, right-of-way acquisition, and construction costs.

### **3. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

ODOT is a political subdivision of the State of Ohio and intends to be solely responsible for all costs incurred during the completion of the necessary highway improvements. As such, MBE/WBE/SLBE program requirements are not applicable.

### **4. EMERGENCY DESIGNATION**

This legislation is being put forth as an emergency measure at the request of ODOT in order to return final resolution to ODOT by the deadline of May 15, 2024.

To authorize the Director of the Department of Public Service to grant consent and propose cooperation with the Director of the Ohio Department of Transportation, State of Ohio FRA-161-15.80, PID 117607; and to declare an emergency. (\$0.00)

**WHEREAS**, the Ohio Department of Transportation (ODOT) is administering FRA-161-15.80 PID 117607, to construct Noise Walls and Noise Abatement Safety Barriers along SR 161 within the City of Columbus, along with other associated work within City limits, intended to improve safety at the location; and

**WHEREAS**, this improvement project is within the Columbus corporate boundaries; and

**WHEREAS**, this legislation authorizes the Director of Public Service to grant consent and propose cooperation with ODOT relative to the aforementioned effort; 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 of Public Service to grant consent to ODOT so as to expedite the completion of the aforementioned highway improvement project to promote highway safety, thereby preserving the public health, peace, property, safety and welfare; **NOW, THEREFORE**,

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

The following is an Ordinance enacted by the City of Columbus, Franklin County, Ohio, hereinafter referred to as the Local Public Agency (LPA) in the matter of the stated described project.

### **SECTION 1. PROJECT DESCRIPTION**

The STATE has identified the need for the described project:

To construct Noise Walls and Noise Abatement Safety Barriers along SR 161 within the City of Columbus, along with other associated work within City limits.

## **SECTION 2. CONSENT STATEMENT**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

## **SECTION 3. COOPERATION STATEMENT**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all of the costs of the improvement.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

## **SECTION 4. UTILITIES AND RIGHT-OF-WAY STATEMENT**

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of way costs include eligible utility costs.

## **SECTION 5. MAINTENANCE**

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

## **SECTION 6. EMERGENCY DESIGNATION**

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.