



## Legislation Details (With Text)

**File #:** 0098-2019      **Version:** 1

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

**File created:** 12/26/2018      **In control:** Public Service & Transportation Committee

**On agenda:** 1/14/2019      **Final action:** 1/16/2019

**Title:** To authorize the Director of the Department of Public Service to transfer ownership of a 0.113 acre of a parcel located at 1024 Cleveland Avenue to the Central Ohio Transit Authority; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 0098-2019 Attachment

Date	Ver.	Action By	Action	Result
1/16/2019	1	CITY CLERK	Attest	
1/15/2019	1	MAYOR	Signed	
1/14/2019	1	COUNCIL PRESIDENT	Signed	
1/14/2019	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to transfer property to the Central Ohio Transit Authority (COTA) that was acquired in connection to COTA's Cleveland Avenue Bus Rapid Transit (BRT) project.

The BRT is a 15.6-mile high capacity transit project comprised of a combination of BRT services operating in mixed traffic primarily along Cleveland Avenue between downtown Columbus and SR-161, with enhanced bus service continuing north to Polaris Parkway and Africa Road, connecting commuters with various land uses along the corridor through the City of Columbus, Clinton Township, and the Village of Minerva Park in Franklin County, terminating in the City of Westerville in Delaware County. The BRT line utilizes "an operational strategy that facilitates the movement of in-service transit vehicles through traffic-signal controlled intersections" known as the Traffic Signal Priority (TSP) System, which endeavors to reduce transit vehicle travel times and transit schedule variability while minimizing the impact to "conventional" traffic using the same road network.

COTA received a federal funding grant from the Federal Transit Authority (FTA) for the BRT project. COTA used part of those funds to acquire certain real property for right-of-way purposes to house COTA BRT shelters at locations where sufficient right-of-way was not available. At the property known as Parcel 11 located at 1024 Cleveland Avenue, the taking of the original right-of-way acreage for the shelter left an uneconomic remnant property of 0.113 acre. COTA agreed to acquire the entire residual property in the name of the City of Columbus. This property is known as 1024 Cleveland Avenue, Columbus, Ohio, 43201, Franklin County Parcel Number 010-032057, as described in instrument 201812100166807 and further described as the remaining portion of Parcel No. 010-032057. The FTA has determined that the residual property needs to be transferred to COTA ownership, or the City has the option to purchase the property following one of several options in the FTA guidance to establish Fair Market Value. The Department of Public Service recommendation is to transfer this property to COTA and seeks Council approval to do so with this legislation.

### 2. FISCAL IMPACT

There is no City expenditure for this transaction.

### **3. EMERGENCY DESIGNATION**

Emergency action is requested, as COTA is working with the FTA to close out grant funding for the Cleveland Avenue BRT project. A condition of closing out the grant is the transfer of City property back to COTA, as COTA needs to be the holder of the residual property per the FTA.

To authorize the Director of the Department of Public Service to transfer ownership of a 0.113 acre of a parcel located at 1024 Cleveland Avenue to the Central Ohio Transit Authority; and to declare an emergency. (\$0.00)

**WHEREAS**, the Central Ohio Transit Authority (COTA) constructed or caused to be constructed a 15.6-mile high capacity transit project comprised of a combination of BRT services operating in mixed traffic primarily along Cleveland Avenue between downtown Columbus and SR-161, with enhanced bus service continuing north to Polaris Parkway and Africa Road, known as the FRA-COTA Cleveland Avenue Bus Rapid Transit (BRT) project; and

**WHEREAS**, FTA grant funds were used to pay for a portion of this project; and

**WHEREAS**, it is necessary to transfer property to COTA to fulfill grant requirements per the FTA; 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 transfer of property to COTA for the BRT project to comply with FTA grant requirements, thereby preserving 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 is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the City Attorney's Office necessary to transfer the following described right-of-way/property to the Central Ohio Transit Authority; to-wit:

#### **0.113 Acre Parcel**

Known as 1024 Cleveland Avenue, Columbus, Ohio, 43201, Franklin County Parcel Number 010-032057, as described in instrument 201812100166807 and further described as the remaining portion of Parcel No. 010-032057

**SECTION 2.** That the above referenced real property shall be considered excess road right-of-way/property and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deed to the grantee thereof.

**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.