



Legislation Text

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1. BACKGROUND

The Ohio Rail Development Commission (ORDC) has announced a funding opportunity through the Ohio Grade Crossing Elimination Program for Fiscal Years 2024 and 2025. The program will competitively award \$100 million in assistance to communities across Ohio to help communities compete for federal funding to eliminate at-grade railroad crossings. There is no deadline for applying, and applications are reviewed on a rolling basis.

While no application deadline has been set, it is important to submit applications prior to the United States Department of Transportation's (USDOT's) Federal Rail Administration (FRA) announcing its notices of funding opportunities (NOFOs) for eliminating railroad crossings. Based on information recently posted to USDOT's website, city staff expects the FRA to announce these NOFOs at some point between March and May.

As envisioned, ORDC will classify into four categories:

1. Projects that are ready for federal application. For projects in this category, ORDC will work with the community to develop the necessary documentation, funding proposals and preliminary engineering necessary to apply for federal construction funding.
2. Projects that need additional development before they can be submitted as a federal application. For projects in this category, ORDC will assist the communities to perform the necessary planning studies to create a federal application.
3. Projects that have significant public benefits but are not a good candidate for current federal discretionary grant opportunities. For projects in this category, ORDC will work to identify other funding for the project.
4. Projects that do not meet state or federal program requirements.

The City meets the criteria to be request assistance from ORDC. The Department of Public Service has identified two priority projects for this funding opportunity. The first project would address two at-grade railroad crossings less than 250 feet apart on Williams Road. These two crossings are identified as 228919S, which is owned by CSX, and 481445B, which is owned by Norfolk Southern. The second project would address one at-grade railroad crossing on Hilliard Rome Road. This crossing is identified as 513244C, which is owned by Norfolk Southern. Public service will also coordinate these projects with other regional stakeholders along the two corridors, including Franklin County Engineer's Office, City of Obetz, and Prairie Township.

This legislation will authorize the Interim Director of Public Service to formally request ORDC assistance. It also authorizes the execution of agreements with ORDC, Franklin County Engineer's Office, City of Obetz, Prairie Township, or others in connection with the application for the grant, the award of the grant, the expenditure of grant funds, and the return of unused grant funds if any should remain at the end of the grant.

2. FISCAL IMPACT

Federal funds may be used for up to eighty percent (80%) of future eligible project costs. No financial participation is required at this time. City funds will be approved in the form of design contracts and/or construction contracts that will be or have been submitted for Council's approval.

3. EMERGENCY DESIGNATION

Emergency action is requested to provide the Department of Public Service with the authorization to proceed with an application prior to United States Department of Transportation's Federal Rail Administration announcing its notices of funding opportunities for eliminating railroad crossings.

To authorize the Interim Director of Public Service to apply for assistance through the Ohio Grade Crossing Elimination Program; to authorize the execution of grant and other requisite agreements with the Ohio Rail Development Commission and other entities providing for the acceptance and administration of said grant award on behalf of the City of Columbus Department of Public Service; to authorize the expenditure of any awarded funds and the refund of any unused funds; and to declare an emergency. (\$0.00)

WHEREAS, the Ohio Rail Development Commission (ORDC) announced \$100 million available to local governments through the Ohio Grade Crossing Elimination Program for Fiscal Years 2024 and 2025, which is a program to be awarded on a competitive basis; and

WHEREAS, ORDC is accepting applications on a rolling basis; and

WHEREAS, while no application deadline has been set, it is important to submit applications prior to the United States Department of Transportation's (USDOT's) Federal Rail Administration (FRA) announcing its notices of funding opportunities (NOFOs) for eliminating railroad crossings; and

WHEREAS, the City intends to collaborate with other interested stakeholders; and

WHEREAS, City Council approval is needed to apply for and accept the grant funding; 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 Interim Director to prepare and submit the aforesaid ORDC grant applications prior to the Federal Railroad Administration's announcements of funding opportunities, based on information recently posted to USDOT's website, city staff expects the FRA to announce these NOFOs at some point between March and May, all for the immediate preservation of the public health, peace, property, safety and welfare; and, **now, therefore**,

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

SECTION 1. That the Interim Director of Public Service be and is hereby authorized to submit applications to ORDC seeking grant funding from Ohio Grade Crossing Elimination Program for Fiscal Years 2024 and 2025 for both the Williams Road at-grade crossings and the Hilliard Rome Road at-grade crossing; to accept said grants, if awarded; and to execute a grant agreement and any other documents necessary to effectuate said applications, acceptance, or agreement on behalf of the Department of Public Service.

SECTION 2. That the Department of Public Service be and hereby is authorized to expend any awarded grant funds in accordance with the terms and conditions of said grant.

SECTION 3. That, at the end of the grant period, or upon request of the grantor, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

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.