

COMMITTEE

PUBLIC SERVICE & TRANSPORTATION

INTRODUCED BY

MARYELLEN O'SHAUGHNESSY

DATE OF FIRST READING

OCT 21 2002

COLUMBUS CITY COUNCIL

ORIGINAL

Ordinance No. **1598 02**

~~Resolution No.~~

30 Day _____ Emergency **X**

I Certify Compliance With Title 39

As Of (Date) _____

Authorized Signature _____

CITY ATTORNEY: This ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

By: _____ Date: _____

FLOOR ACTION

(Clerks Office Only)

OCT 21 2002 *Tabled Indef. 7-0*
NOV 18 2002 *TFT (7-0)*
NOV 18 2002 *P(7-0)*

AUDITOR'S CERTIFICATE

I hereby certify that there is in the treasury, or anticipated to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within ordinance.

Date: _____ No: _____

Fd No.: _____ Div. No. _____ Ch. _____

By: _____ Amt: _____

City Auditor or Deputy Auditor

EXPLANATION OF LEGISLATION

***4468**

Background:

The City of Columbus, Public Service Department, Transportation Division has received a request from the United States Government to permanently close Pearl Street between Spring and Hickory Streets and Hickory Street between Pearl and High Streets to facilitate the installation of various physical barriers that will enhance the security of the Bricker Federal Building at 200 North High Street. These rights-of-way were temporarily closed on November 5, 2001 in response to the need for heightened security following the September 11, 2001 tragedy and the Public Service Director has now recommended the permanent closure of these rights-of-way. After review of the request and the recommendation from the Public Service Director the Land Review Commission has voted to recommend that these rights-of-way be transferred to the United States Government at no charge.

Emergency Justification:

Emergency action is requested to allow the United States Government to take those steps necessary to begin installation of aesthetically pleasing permanent site improvements that will enhance the security of the Bricker Federal Building at 200 North High Street without delay.

I hereby certify that the above or attached is a true and correct copy of Ordinance No. _____ passed by The Council of The City of Columbus, Ohio _____, 20 _____, as shown by the records now on file in this office.

Seal _____

Mary Lu English (5-5471)

Contact: For Questions - Phone on this Legislation

City Clerk

Pamela A. Clawson

Approved (Division Head) *M. Lehr*

9-30-02

[Signature]

Approved (Department Head)

TITLE (BRIEF DESCRIPTION)

To authorize the Director of the Public Service Department to execute those documents required to transfer that portion of Hickory Street from the east line of North High Street to the west line of Pearl Street and that portion of Pearl Street from the north line of Spring Street to the south line of Hickory Street to the United States Government; to waive the competitive bidding provisions of Columbus City Codes and to declare an emergency.

MAYOR'S ACTION

[Signature]

SIGNED

11/19/02

DATE

COUNCIL ACTION

NOV 18 2002

DATE PASSED/ADOPTED

[Signature]

PRESIDENT OF COUNCIL

[Signature]

CITY CLERK

VETO

DATE

WHEREAS, the City of Columbus, Public Service Department, Transportation Division has received a request from the United States Government to permanently close Pearl Street between Spring and Hickory Streets **and** Hickory Street between Pearl and High Streets to facilitate the installation of various physical barriers that will enhance the security of the Bricker Federal Building at 200 North High Street; and

WHEREAS, these rights-of-way were temporarily closed on November 5, 2001 in response to the need for heightened security following the September 11, 2001 tragedy; and

WHEREAS, the Public Service Director has now recommended the permanent closure of these rights-of-way; and

WHEREAS, after review of the request and the recommendation from the Public Service Director the Land Review Commission has voted to recommend that these rights-of-way be transferred to the United States Government at no charge; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department in that it is immediately necessary to authorize the Director to execute those documents required to transfer this excess right-of-way so that the United States Government can take those steps necessary to begin installation of aesthetically pleasing permanent site improvements that will enhance the security of the Bricker Federal Building at 200 North High Street without delay; 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 quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer Hickory Street (33 feet wide) from the east line of North High Street (100 feet wide) to the west line of Pearl Street (33 feet wide) **AND** Pearl Street (33 feet wide) from the north line of Spring Street (82.5 feet wide) to the south line of Hickory Street (33 feet wide) to the United States Government.

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

Section 3. That a general utility easement in, on, over, across and through the above described excess right-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said excess right-of-way.

Section 4. That this Council has determined it is in the best interest of the City of Columbus to allow these rights-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to the transfer of these properties.

Section 5. 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.



City of Columbus
Mayor Michael B. Coleman

Public Service Department

Linda K. Page, Director

MEMORANDUM

TO: Mark Barbash, Director
Department of Development

Attention: Donna Hunter, Administrator
Office of Land Management

FROM: Mary Lu English *MLE*
Right-of-Way Coordinator

SUBJ.: SALE OF EXCESS RIGHT OF WAY - FILE # 02-28

DATE: September 19, 2002

Attached please find a request to transfer that portion of Hickory Street from the east line of North High Street to the west line of Pearl Street and that portion of Pearl Street from the north line of Spring Street to the south line of Hickory Street to the United State Government to allow for installation of various physical barriers to enhance the security of the Bricker Federal Building at 200 North High Street.

These rights-of-way were temporarily closed on November 5, 2001 in response to the need for heightened security following the September 11, 2001 tragedy and Director Page has now recommended permanent closure. The U.S. General Services Administration intends to make permanent site improvements that will be aesthetically pleasing and that will enhance the security of the federal building at 200 North High Street however, the GSA cannot expend funds on site improvements to property in which the Federal Government does not possess title. The Public Service Department is recommending that these rights-of-way be transferred at no charge.

It is now necessary for the Department of Development to review the attached information and when your review is complete, fill in the final portion of the form before placing this item on the Land Review Commission agenda for their consideration.

If you have any questions please call me at 5-5471.

Enclosure

cc: Pamela A. Clawson, P.E., Administrator, Transportation Division
Randall J. Bowman, P.E., City Engineer
Clyde R. Garrabrant, P. S., R/W Manager
L:\marylu\letters\0228 transmittal.doc

614-645-8290 Director's Office
614-645-7602 Facilities Management Division
614-645-8281 Fleet Management Division
614-645-7620 Refuse Collection Division
614-645-8376 Transportation Division

City Hall/90 West Broad Street, 3rd Floor/Columbus, Ohio 43215-9009
City Hall/90 West Broad Street, Rm. B-16/Columbus, Ohio 43215-9001
423 Short Street/Columbus, Ohio 43215-5614
2100 Alum Creek Drive, Columbus, Ohio 43207-1714
109 North Front Street, 3rd Floor/Columbus, Ohio 43215-9023

FAX: 645-7805
FAX: 645-7180
FAX: 645-7347
FAX: 645-3053
FAX: 645-6938



City of Columbus
Mayor Michael B. Coleman

Public Service Department

Linda K. Page, Director

REQUEST FOR CONVEYANCE OF CITY OWNED RIGHT-OF-WAY By Department of Public Service

Petitioner: James F. Lyons, GSA Director of Facilities and File No.02-28
Scott Johnson, Director, State of Ohio Department of Administrative Services

REQUEST IS TO:

- | | |
|--|--|
| <input type="checkbox"/> Sell excess right-of-way | <input type="checkbox"/> Transfer excess right-of-way at no charge |
| <input checked="" type="checkbox"/> Vacate excess right-of-way | <input type="checkbox"/> Grant a lease |
| <input type="checkbox"/> Grant an easement | <input type="checkbox"/> Release an easement |

BRIEF DESCRIPTION OF AREA UNDER CONSIDERATION:

Hickory Street (33 feet wide) from the east line of North High Street (100 feet wide) to the west line of Pearl Street (33 feet wide)

And

Pearl Street (33 feet wide) from the north line of Spring Street (82.5 feet wide) to the south line of Hickory Street (33 feet wide)

PROPOSED USE OF AREA:

Installation of various physical barriers to enhance the security of the Bricker Federal Building at 200 North High Street

DEPARTMENTAL ACTION BY DEPARTMENT INITIATING REQUEST:

(Please CHECK the Correct Answer)

- | | | |
|---|---|-----------------------------|
| All Departments and Divisions contacted for comments/approval of request: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| All Utilities contacted for comments/approval of request: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| All abutting property owners notified of request: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| Petitioner notified of need for survey and metes & bounds description: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |

Department Recommendation: SELL VACATE TRANSFER AT NO CHARGE*
 GRANT EASEMENT GRANT LEASE RELEASE AN EASEMENT

*ORC § 159.02 Vacation of streets and alleys; rights of parties interested states in part: ...the lots or tracts of land abutting upon any such street or alley shall extend to the center line thereof.... Therefore, the Transportation Division recommends TRANSFER AT NO CHARGE as the State of Ohio does not wish to take title to any part of Hickory Street. Also, upon transfer of this property the City will no longer be responsible for the construction of two (2) curb ramps on the north side of Spring Street at Pearl

Signature: [Handwritten Signature]

Date: 9/19/02

REAL ESTATE DIVISION ACTION:

Estimated Value from County Tax Records: not known
Easements to be retained: YES NO

PAC/JCL

cc: File No. 02-28

614-645-8290 614-645-7602 614-645-8281 614-645-7620 614-645-8376	Director's Office Facilities Management Division Fleet Management Division Refuse Collection Division Transportation Division	City of Columbus City Hall/90 West Broad Street, Rm. B-16/Columbus, Ohio 43215-9001 423 Short Street/Columbus, Ohio 43215-5614 2100 Alum Creek Drive, Columbus, Ohio 43207-1714 109 North Front Street, 3rd Floor/Columbus, Ohio 43215-9023	02, VACATE 02-28 REQUEST FOR CONVEYANCE DOC 43215-9009 43215-9001 43215-5614 43207-1714 43215-9023	FAX: 645-7805 FAX: 645-7180 FAX: 645-7347 FAX: 645-3053 FAX: 645-8938
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DEPARTMENT OF DEVELOPMENT ACTION:

(Please CHECK the correct answer)

Mitigating Circumstances Identified: YES NO

Recommended Action: DISAPPROVED TRANSFER AT NO CHARGE SELL

VACATE GRANT EASEMENT RELEASE AN EASEMENT

Signature: _____ Date: _____

**IDENTIFICATION OF MITIGATING CIRCUMSTANCES
AND BRIEF EXPLANATION OF EACH**

_____ The value of improvements undertaken by purchaser(s) upon property of the City which further the interest and welfare of the public.

_____ The value of land donations or other services being made to the City by the petitioner(s)

_____ The willingness of the purchaser(s) to absorb the cost of utility relocation from the property being purchased if not discounted in the fair market value of the property.

_____ The substantial increase in tax revenue, including but not limited to real property and income taxes, generated by the development of the property to be purchased.

_____ The identification of improvements that further the general welfare of the City through significant improvements to the physical environment.

Name of Petitioners:

James F. Lyons, U.S. GSA Director of Facilities and
Scott Johnson, Director, State of Ohio DAS
File No. 02-28

02-28



U.S. General Services Administration

September 11, 2002

02 SEP 17 PM 12:04

Linda K. Page
Director, City of Columbus Public Service Department
City Hall, 90 West Broad Street, Room 301
Columbus, Ohio 43215-9009

Re: Vacating Pearl Street and Hickory Street

As discussed previously, the U.S. General Services Administration (GSA) desires the permanent closure of Pearl Street between Spring and Hickory Streets, and Hickory Street between Pearl and High Streets, (see attached plan). These closures will facilitate the installation of various physical barriers by the GSA to enhance the security of the Bricker Federal Building at 200 North High Street, Columbus, Ohio.

Since your latest correspondence on this issue, the GSA has discussed this proposal with the facilities and security team of the State of Ohio Department of Administrative Services, who manage the two buildings immediately to the north of the Bricker Building. They support this action.

In addition, the GSA has met with Mr. Jeffrey C. LeVally, P.S. of the City of Columbus Engineering and Construction Division, to discuss how we intend to physically block the streets. His opinion is that our plans would not inhibit access to the underground utilities in the area. He also indicated that our plan to extend the existing sidewalk across Pearl Street at Spring Street would negate the City's need to install two proposed handicap ramps.

However, the GSA cannot expend funds on site improvements to property in which the Federal Government does not possess title. Therefore the GSA also desires that the City of Columbus vacate Pearl Street between Spring and Hickory Streets, Hickory Street between High and Pearl Streets and grant title of the same, to the Government of the United States. It is our belief that these actions will be mutually beneficial to the City of Columbus, the Government of the United States and the State of Ohio. It is our understanding that upon your approval of these actions, Columbus City Council must grant final approval.

Thank you for your consideration of this matter.

Respectfully,

James F. Lyons, GSA Director of Facilities

Concur:

Date: 13 Sept 02

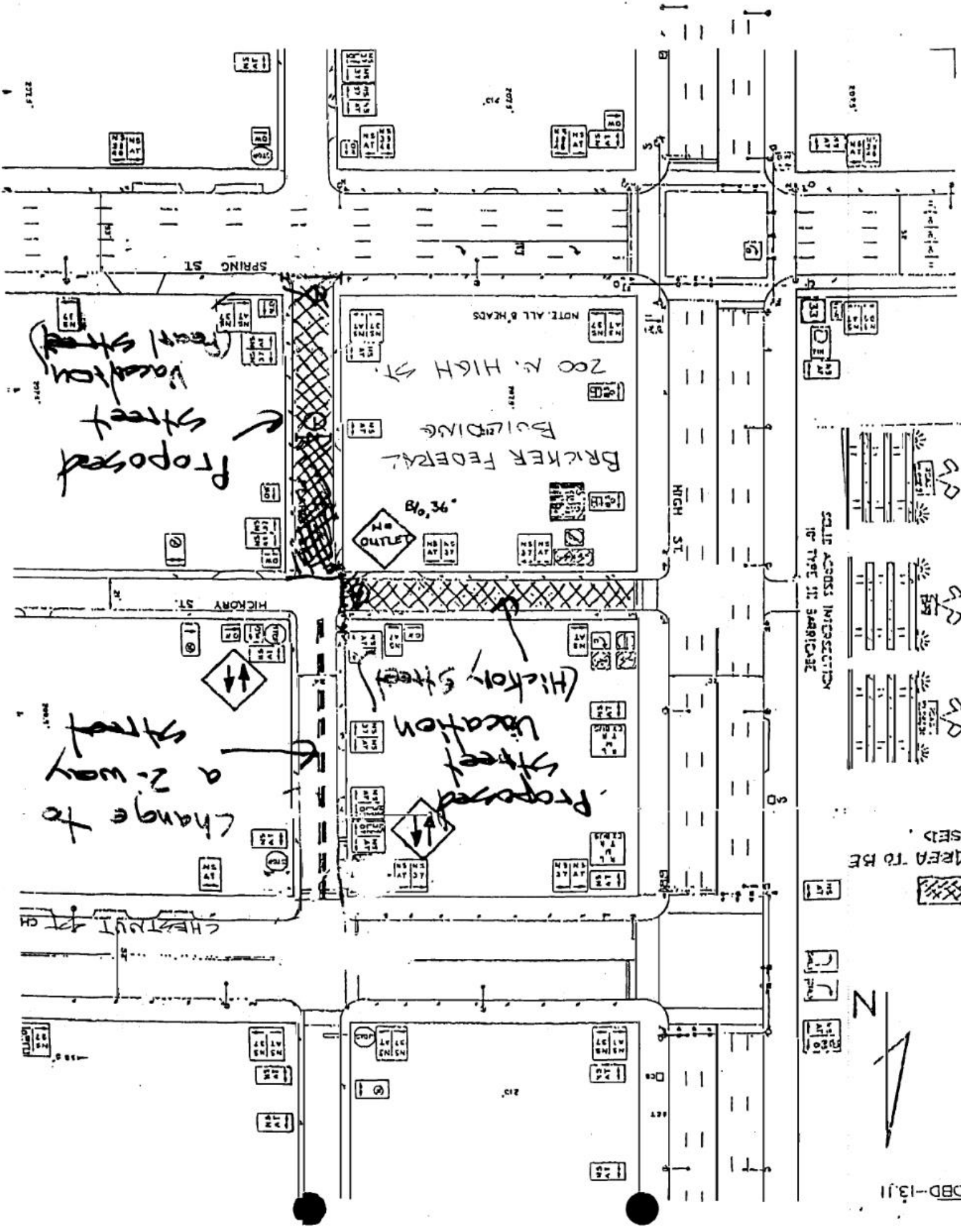
Scott Johnson, Director, State of Ohio Department of Administrative Services

Cc: Jeffrey C. LeVally, P.S., City of Columbus Dept. of Eng. & Construction
Randy Bowman, City Engineer, City of Columbus Dept. of Eng. & Construction
Paul Maxse, GSA Regional Counsel

enclosure

Columbus Office
GSA Ohio Service Center
85 Marconi Boulevard, Room 121
Columbus, Ohio 43215
Phone: 614.469.6824
Fax: 614.469.2510
www.gsa.gov







City of Columbus
Mayor Michael B. Coleman

Public Service Department

Linda K. Page, Director

July 25, 2002

cc: Eagan
Diana
Denny
Mark Law

James F. Lyons
GSA Director of Facilities
Columbus Office
GSA Ohio Service Center
85 Marconi Boulevard, Room 121
Columbus, OH 43215

RE: Permanent Closure of Pearl Street and Hickory Street

Dear Mr. Lyons,


I am in agreement with your request of July 22, 2002 to permanently close Pearl Street and Hickory Street behind the Bricker Federal Building at 200 North High Street.

I also agree with the plan to convert Pearl Street to two-way traffic between Hickory and Chestnut Streets. This conversion facilitates traffic flow to the building and parking structures in the area of the street closures.

These streets were temporarily closed on November 5, 2001 in response to the need for heightened security following the September 11 tragedy. Permanent closure of these streets will enhance building security.

By copy of this letter, I am advising staff to take the above actions. Please contact Randy Bowman, City Engineer, if you have questions or would like more information. Mr. Bowman can be reached at 645-2464.

Sincerely,


Linda K. Page
Director

c/enc: Pam Clawson, PE, Administrator, Transportation Division
Randall Bowman, PE, Columbus City Engineer
Thomas J. Wester, Deputy Director, Public Service Department
William Lewis, PE, Chief Traffic Engineer
Doug Roberts, PE, Design & Plan Services, Transportation Division

614-645-8290 Director's Office
614-645-3122 Construction Inspection Division
614-645-8375 Engineering and Construction Division
614-645-7602 Facilities Management Division
614-645-8221 Fleet Management Division
614-645-7620 Refuse Collection Division
614-645-7790 Traffic Engineering and Parking Division

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FAX: 645-7921