

Date: June 24, 2020

To: Mayor and Members of City Council

From: Patrick A. Duhaney, City Manager

Subject: EMERGENCY ORDINANCE – WHV EASTERN APPROACH APPROPRIATION PARCELS 26&27

20200813

Attached is an emergency ordinance captioned as follows:

**TO APPROPRIATE** to public use property required for the Western Hills Viaduct Replacement Project.

It is necessary to appropriate the property listed in the attached ordinance in order to construct the eastern approach to the Western Hills Viaduct Replacement project. On February 5, 2020, Resolution No. 7-2020 was passed declaring the intent to appropriate this property.

The City has received full acquisition authorization from the Ohio Department of Transportation ("ODOT") and the U.S. Department of Transportation's Federal Highway Administration ("FHWA"), both for acquisition of the property and required relocation cost for the properties located at 2277 and 2279 Spring Grove Avenue for the construction of the Western Hills Viaduct.

Funding for the acquisition and subsequent relocation costs consists of eighty (80%) federal grant funding with a twenty (20%) required local match. All such funding has been received and appropriated to the Western Hills Viaduct Project.

The federal funding, administered through ODOT, obligates the City to comply with all applicable laws and with ODOT and FHWA regulations, policies and procedures for property acquisition and relocation assistance.

The property is needed to build a new Duke substation. The current substation is within the alignment of the new viaduct and needs to be removed. This site is needed because of its proximity to the old substation, which is necessary so the connections to the transmission lines across the railroad yard and to underground distribution lines can be made.

The reason for the emergency is the immediate necessity of filing complaints for appropriation in order that the City may commence the Western Hills Viaduct Replacement Project, in accordance with the schedules set forth in the contracts being entered into for this project.

The Administration recommends passage of the attached emergency ordinance.

Attachment I – Exhibit A, Legal Descriptions

cc: John S. Brazina, Director, Transportation and Engineering