



## Legislation Details (With Text)

**File #:** 2526-2021      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 9/29/2021      **In control:** Public Service & Transportation Committee  
**On agenda:** 10/25/2021      **Final action:** 10/27/2021

**Title:** To amend the 2020 Capital Improvements Budget; to authorize the transfer of funds and appropriation within the Streets and Highways Bond Fund; to authorize the Director of Public Service to pay utility relocation costs to various utilities for the Roadway Improvements - Livingston Avenue Phase B - High Street to Fifth Street project; to authorize the expenditure of up to \$502,000.00 from the Streets and Highways Bond Fund for these utility relocations; and to declare an emergency. (\$502,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2526-2021 Legislation Template

Date	Ver.	Action By	Action	Result
10/27/2021	1	CITY CLERK	Attest	
10/26/2021	1	MAYOR	Signed	
10/25/2021	1	COUNCIL PRESIDENT	Signed	
10/25/2021	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND:

This legislation authorizes payment for utility relocation work by American Electric Power, AT&T, Time Warner, WOW, XO and other utilities, or companies contracted by the utility companies to perform utility relocation work, in an amount of up to \$502,000.00.

The Department of Public Service, Design and Construction Division is engaged in the Roadway Improvements - Livingston Avenue Phase A, Phase B and Phase C. This project involves widening Livingston Avenue from Short Street to Kennedy Avenue. Project improvements include bike lanes, sidewalks, street trees, drainage, waterline improvements, replacement of traffic signals, and relocating overhead utilities underground.

In the course of effecting roadway improvements, it is sometimes necessary to force the relocation of utilities from privately held easements or place overhead utilities underground to promote public health, safety and the welfare including the economic development of the City. These relocations are in areas where the City has previously allowed utilities, but established an underground utility district by ordinance 0307-2015.

The funding request for utilities relocation is based upon estimates from the utilities. The utilities will invoice the City for actual costs incurred in relocating the utilities. The amount needed may exceed the amount requested in this ordinance. Additional legislation will be submitted by the Department of Public Service if additional funds are needed to complete the relocations.

### 2. FISCAL IMPACT:

Funds for this project are available within the Streets and Highways Bond Fund, Fund 7704. An amendment to the 2020 Capital Improvement Budget and transfer of funding is required to establish sufficient budget authority for the project. Funds are appropriated.

### 3. EMERGENCY DESIGNATION

Emergency designation is requested to provide funding for utility reimbursements at the earliest possible time to maintain the project construction schedule to ensure the safety of the travelling public.

To amend the 2020 Capital Improvements Budget; to authorize the transfer of funds and appropriation within the Streets and Highways Bond Fund; to authorize the Director of Public Service to pay utility relocation costs to various utilities for the Roadway Improvements - Livingston Avenue Phase B - High Street to Fifth Street project; to authorize the expenditure of up to \$502,000.00 from the Streets and Highways Bond Fund for these utility relocations; and to declare an emergency. (\$502,000.00)

**WHEREAS**, the City of Columbus is concerned with the use of the various rights-of-way areas in the City as such rights-of-way areas represent a valuable and limited resource that must be utilized to promote the public health, safety and welfare including the economic development of the City; and

**WHEREAS**, the Department of Public Service is engaged in the Roadway Improvements - Livingston Avenue Phase B - High Street to Fifth Street project; and

**WHEREAS**, the project involves widening Livingston Avenue from Short Street to Kennedy Avenue. Project improvements include bike lanes, sidewalks, street trees, drainage, waterline improvements, replacement of traffic signals, and relocating overhead utilities underground; and

**WHEREAS**, there is a need to relocate utilities so construction on the project can be completed; and

**WHEREAS**, utility relocation costs for the project are estimated to cost \$502,000.00; and

**WHEREAS**, this ordinance authorizes funding in the amount of \$502,000.00 for that purpose; and

**WHEREAS**, it is necessary to authorize an amendment to the 2020 Capital Improvement Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, it is necessary for Council to authorize a transfer of funds and appropriation within Fund 7704, the Streets and Highways Bond Fund, to establish sufficient cash to pay for the project; and

**WHEREAS**, this ordinance authorizes the Director of Public Service to expend \$502,000.00, or so much thereof as may be necessary, to pay utility relocation costs necessary to complete the Roadway Improvements - Livingston Avenue Phase B - High Street to Fifth Street project; 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 to make payment for utility relocation expenses for the Roadway Improvements - Livingston Avenue Phase B - High Street to Fifth Street project to prevent construction delays, 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 2020 Capital Improvements Budget authorized by ordinance 2521-2020 be amended as follows to establish sufficient authority for this project:

**Fund / Project Number / Project Name / Current / Change / Amended**

7704 / 531012-100000 / Roadway Improvements - Medina Ave from Hudson to Briarwood (Voted 2019 SIT Supported) / \$250,000.00 / \$27,340.00 / \$277,340.00 (to match cash)

7704 / 531012-100000 / Roadway Improvements - Medina Ave from Hudson to Briarwood (Voted 2019 SIT Supported) / \$277,340.00 / (\$277,340.00) / \$0.00

7704 / 530103-100065 / Arterial Street Rehabilitation - SR161 - I-71 to Cleveland Avenue Phase I (Voted 2019 SIT Supported) / \$1,500,000.00 / (\$224,660.00) / \$1,275,340.00

7704 / 530161-100176 / Roadway Improvements - Livingston Avenue Phase B - High Street to Fifth Street (Voted 2019 SIT Supported) / \$0.00 / \$502,000.00 / \$502,000.00

**SECTION 2.** That the transfer of \$277,340.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P531012-100000 (Roadway Improvements - Medina Ave from Hudson to Briarwood), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530161-100176 (Roadway Improvements - Livingston Avenue Phase B - High Street to Fifth Street), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$224,660.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530103-100065 (Arterial Street Rehabilitation - SR161 - I-71 to Cleveland Avenue Phase I), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530161-100176 (Roadway Improvements - Livingston Avenue Phase B - High Street to Fifth Street), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Director of Public Service be and hereby is authorized to reimburse utilities for utility relocation work, or to reimburse companies hired by utilities to perform utility relocation work for the Roadway Improvements - Livingston Avenue Phase B - High Street to Fifth Street project.

**SECTION 5.** That the expenditure of \$502,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction), Project P530161-100176 (Roadway Improvements - Livingston Avenue Phase B - High Street to Fifth Street), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 7.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 8.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

**SECTION 9.** 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.