



## Legislation Text

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**File #:** 2201-2015, **Version:** 1

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### **1. BACKGROUND:**

In the course of effecting roadway improvements, it is sometimes necessary to force the relocation of utilities from privately held easements. These relocations are in areas where the city has previously allowed utilities, but due to this project there is a need to relocate them at the city's expense.

This legislation authorizes the Director of Public Service to expend funds from the Recreation & Parks G.O. Bonds Fund to pay those costs relative to the relocation of utilities needed for the Bridge Rehab-Fifth Ave over Scioto project. Department of Public Service funds were legislated on 1936-2015, passed by City Council on July 27, 2015, signed by Mayor Coleman and attested to by the City Clerk on July 30, 2015. At that time funds for the Department of Recreation and Parks were contingent upon the Bond Sale and only the funds for the Department of Public Service were legislated.

The Public Service Department, Design and Construction Division, is engaged in the Bridge Rehabilitation - Fifth Avenue over Scioto project. This is a joint project between the Department of Public Service and the Recreation and Parks Department that will receive construction funding from ODOT Municipal Bridge Program and MORPC Transportation Enhancements. The ODOT designated name for this project is FRA Scioto Trail/Fifth Avenue Connector (PID 90382). Recreation and Parks Department's project name is Bridge Rehabilitation - Bikeway Improvements - Dublin Road to McKinley.

### **2. FISCAL IMPACT:**

The funding portion from the Department of Recreation and Parks is budgeted and available within the Recreation & Parks G.O. Bonds Fund, Fund 702, for the purpose of funding these utility relocation expenses. The amount of funds needed for the Department of Recreation and Parks in the amount of \$293,882.07 have been made available for use.

### **3. EMERGENCY DESIGNATION**

Public Service is requesting emergency designation so as to provide funding for utility reimbursements at the earliest possible time for reimbursing utilities as necessary and to maintain proper accounting practices.

To authorize the Director of Public Service to pay utility relocation costs to various utilities for capital improvement projects; to authorize the expenditure of \$293,882.07 or so much thereof as may be necessary for utility relocations for the Bridge Rehabilitation - Fifth Avenue over Scioto project from the Recreation & Parks G.O. Bonds Fund, Fund 702; and to declare an emergency. (\$293,882.07)

**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 requires funding to be available for utility relocation expenses for the Bridge Rehabilitation - Fifth Avenue over Scioto project in order to provide for quick turnaround of utility relocation work; and

**WHEREAS**, this ordinance authorizes funding in the amount of \$293,882.07 for that purpose; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize payment for miscellaneous utility relocation expenses at the earliest possible time,

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 Public Service be and hereby is authorized to pay utility relocation costs to various utilities for Capital Improvement projects to be determined.

**SECTION 2.** That the Director of Public Service be and is hereby authorized to expend \$293,882.07 or so much thereof as may be necessary from the Recreation & Parks G.O. Bonds Fund, Fund 702, to pay those costs relative to the relocation of utilities needed for the Bridge Rehab-Fifth Ave over Scioto project as follows:

**Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount**

702 / 510316-100108 / Planning Area 8 Trail Improvements/Acquisitions / 06-6631 / 731618 / \$293,882.07

**SECTION 3.** City Council recognizes that this ordinance does not identify the utilities to whom the reimbursements will be awarded and understands that its passage will give the Director of Public Service the final decision in determination for such reimbursements. This Council is satisfied it is in the best interests of the city to delegate this reimbursement decision.

**SECTION 4.** 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 5.** 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 6.** 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 7.** 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.