



## Legislation Text

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**File #:** 3008-2016, **Version:** 1

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### **1. BACKGROUND:**

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 and the installation of project improvements. 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; therefore due to this project there is a need to relocate them underground.

This legislation authorizes reimbursement for utility relocation work by AEP, AT&T, Time Warner, WOW, XO and other utilities up to the amount of \$500,000.00.

City Council recognizes that this ordinance does not identify all of the utilities that will receive the utility relocation reimbursement(s) and understands that its passage will give the Director of Public Service the final decision in determination for such utility relocation reimbursement(s). This Council is satisfied it is in the best interests of the City to delegate this reimbursement decision.

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

This project is budgeted and available within the Department of Public Service 2016 Capital Improvement Budget.

### **3. EMERGENCY DESIGNATION**

Emergency action is requested to provide funding for utility reimbursements at the earliest possible time to prevent construction delays.

To authorize the Director of Public Service to reimburse various utilities for utility relocation costs incurred in conjunction with the Roadway Improvement - Livingston Avenue project; to authorize the expenditure of up to \$500,000.00 from the Street and Highways GO Bond Fund; and to declare an emergency. (\$500,000.00)

**WHEREAS**, the City of Columbus is vitally 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 Roadway Improvements - Livingston Avenue Phase A, Phase B and Phase C projects in order to provide for quick turnaround of utility relocation work; and

**WHEREAS**, this ordinance authorizes funding in the amount of \$500,000.00 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 the Director to provide funding for these utility relocation expenses 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 Roadway Improvements - Livingston Avenue Phase A, Phase B and Phase C projects.

**SECTION 2.** That the expenditure of \$500,000, or so much thereof as may be needed, is hereby authorized in Fund 7704 Street and Highway GO Bonds Fund in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**SECTION 3.** City Council recognizes that this ordinance does not identify the utilities that will receive the utility relocation reimbursement(s) and understands that its passage will give the Director of Public Service the final decision in determination for such utility relocation reimbursement(s). 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.