



## Legislation Details (With Text)

**File #:** 0537-2008      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 3/18/2008      **In control:** Public Service & Transportation Committee

**On agenda:** 5/19/2008      **Final action:** 5/21/2008

**Title:** To authorize the transfer of \$17,600.00 within the Development Services Fund; to authorize the expenditure of \$17,600 from the Development Services Fund and to appropriate and authorize the expenditure of \$24,400.00 from the Northwest Corridor Fund; to authorize the Public Service Director to reimburse Dominion Homes for plan review services and for costs incurred for plan revisions requested by the City for the Hayden Run Boulevard improvement project consistent with the Memorandum of Understanding for financial commitments for infrastructure improvements based on the Pay As We Grow Plan for the Hayden Run Corridor; and to declare an emergency (\$42,000.00).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
5/21/2008	1	ACTING CITY CLERK	Attest	
5/20/2008	1	MAYOR	Signed	
5/19/2008	1	Columbus City Council	Approved	
5/19/2008	1	COUNCIL PRESIDENT	Signed	
5/7/2008	1	CITY ATTORNEY	Reviewed and Approved	
5/7/2008	1	SERVICE DIRECTOR	Sent to Clerk's Office for Council	
5/6/2008	1	EBOCO Reviewer	Reviewed and Approved	
5/6/2008	1	ODI DIRECTOR	Reviewed and Approved	
5/6/2008	1	Service Reviewer	Sent for Approval	
5/2/2008	1	Service Reviewer	Sent for Approval	
5/2/2008	1	Auditor Reviewer	Reviewed and Approved	
5/2/2008	1	CITY AUDITOR	Reviewed and Approved	
5/2/2008	1	Service Reviewer	Sent for Approval	
5/1/2008	1	Finance Reviewer	Reviewed and Approved	
5/1/2008	1	Finance Reviewer	Reviewed and Approved	
5/1/2008	1	FINANCE DIRECTOR	Reviewed and Approved	
4/21/2008	1	SERVICE DIRECTOR	Reviewed and Approved	
4/2/2008	1	Service Reviewer	Reviewed and Approved	
3/18/2008	1	Service Drafter	Sent for Approval	

**Background:** This legislation authorizes the Public Service Director to reimburse Dominion Homes for plan review fees for the

Hayden Run Boulevard improvement Phase 1 in the amount of \$17,600.00, and for revisions in the signed plans as requested by the City for \$24,400.00. The work is designated as elements HR-2 and HR-3 in the Memorandum of Understanding that was authorized by Ordinance 1433-2004 passed by City Council on November 22, 2004; and by Ordinance 1008-2005, passed by City Council on June 30, 2005, which granted consent and proposed cooperation with Dominion Homes for design services related to the infrastructure improvements.

Hayden Run Boulevard will vary from three to five lanes in width over a construction length of 2,966 feet, and feature curbs, gutters, sidewalks, lighting, signalization and an enclosed storm drainage system where possible. Curb ramps will be installed at all adjoining intersections within the project limits.

At the time Dominion Homes submitted the fees in the amount of \$17,600.00, this project was anticipated to be a developer driven project, wherein the City of Columbus would reimburse Dominion Homes for the total cost of the project, including such costs. This project has since changed to a City Capital Improvement project and in this case the fees would not have been required of Dominion. Therefore, Dominion Homes has requested that the City reimburse them for these payments in the amount of \$17,600.00.

The plans for HR-2 and HR-3 were signed in 2007. At the time, the two adjacent projects were to be constructed simultaneously, and the Maintenance of Traffic, traffic control, and some drainage elements were designed to reflect this intention. Revisions to these components, and to the design of the pavement composition, required extensive retro-fitting of the construction plans. Therefore, Dominion Homes has requested that the City reimburse them \$24,400.00 for this work.

Dominion Homes' contract compliance number is 311393233 and it expires on 3/11/2010.

Emergency action is requested so that reimbursement can be made to Dominion Homes at the earliest possible time keep commitments made to the local community.

**Fiscal Impact:** Funds for this reimbursement in the amount of \$17,600.00 are available within the Development Services Fund. Funding in the amount of \$24,400.00 is available within the Northwest Corridor Fund for reimbursement to Dominion Homes for plan revisions requested by the City.

To authorize the transfer of \$17,600.00 within the Development Services Fund; to authorize the expenditure of \$17,600 from the Development Services Fund and to appropriate and authorize the expenditure of \$24,400.00 from the Northwest Corridor Fund; to authorize the Public Service Director to reimburse Dominion Homes for plan review services and for costs incurred for plan revisions requested by the City for the Hayden Run Boulevard improvement project consistent with the Memorandum of Understanding for financial commitments for infrastructure improvements based on the Pay As We Grow Plan for the Hayden Run Corridor; and to declare an emergency (\$42,000.00).

**WHEREAS,** the City has identified the need for and proposes the improvement of a portion of public highway that is described as follows:

Construction of Hayden Run Boulevard varying from three to five lanes in width over a construction length of 2,966 feet, and including curbs, gutters, sidewalks, lighting, signalization and an enclosed storm drainage system where possible. Curb ramps will be installed at all adjoining intersections within the project limits, with portions of said roadway within the municipal corporation limits being hereinafter referred to as the improvement; and

**WHEREAS,** this work is designated as elements HR-2 and HR-3 in the Memorandum of Understanding that was authorized by Ordinance 1433-2004 passed by City Council on November 22, 2004; and

**WHEREAS,** consent legislation authorizing a reimbursement agreement with Dominion Homes for design services was passed by City Council as Ordinance 1008-2005 on June 30, 2005; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that the contract should go forth immediately so that the work may proceed without delay, 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 City Auditor be and is hereby authorized and directed to transfer \$17,600.00 within the Development Services

Fund, Fund 240, as follows:

**Transfer from:**

Division / O.L. 01-03 Code / OCA  
59-09 / 3336 / 599045

**Transfer to:**

Division / O.L. 01-05 Code / OCA  
59-09 / 5910 / 599147

**SECTION 2.** That the sum of \$24,400.00 be and hereby is appropriated from the unappropriated balance of Fund 771, the Northwest Corridor Area Fund, and from all monies estimated to come into said Fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2008, to Department No. 59-09, Transportation Division, OL 01-03 Codes, 06-6682, Project 771001, OCA Code 771001.

**SECTION 3.** That the monies appropriated in Section 2 shall be paid upon order of the Public Service Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 4.** That for the purpose of paying the cost thereof, the sum of \$42,000.00 or so much thereof as may be needed, is hereby authorized to be expended for the Transportation Division, Dept-Div, 59-09 as follows:

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

240 / Development Services Fund / 05-5910 / 599147 / \$17,600.00

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

771 / Northwest Corridor Fund / 06-6682 / 771001 / 771001 / Dominion Homes - NW Corridor / \$24,400.00

**SECTION 5.** That the Public Service Director be and is hereby authorized to reimburse Dominion Homes, 5000 Tuttle Crossing Boulevard, Post Office Box 5000, Dublin, Ohio 43016-5555, in an amount not to exceed \$42,000.00 in accordance with the Pay As We Grow Plan for the Hayden Run Corridor.

**SECTION 6.** 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 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.