



## Legislation Details (With Text)

**File #:** 2599-2018      **Version:** 1

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

**File created:** 9/12/2018      **In control:** Public Service & Transportation Committee

**On agenda:** 11/5/2018      **Final action:** 11/6/2018

**Title:** To amend the 2018 Capital Improvement Budget; to authorize the City Auditor to appropriate funds within the Street & Highway Improvements Non-Bond Fund; to authorize the Director of Public Service to refund monies to OhioHealth Corporation ("OhioHealth") representing the unexpended balance of upfront deposits made by OhioHealth to support the construction of certain public infrastructure improvements in the vicinity of North Broadway and Olentangy River Road; to authorize the expenditure of \$4,412,416.72 from the Street & Highway Improvements Non-Bond Fund for that purpose; and to declare an emergency. (\$4,412,416.72)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. OhioHealth Refund Legislation Accounting Codes

Date	Ver.	Action By	Action	Result
11/7/2018	1	CITY CLERK	Attest	
11/6/2018	1	MAYOR	Returned Unsigned	
11/5/2018	1	COUNCIL PRESIDENT	Signed	
11/5/2018	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

The purpose of this legislation is to authorize the issuance of a refund for the unexpended balance of funds deposited by OhioHealth Corporation ("OhioHealth") relative to the design and construction of certain public infrastructure improvements in the vicinity of North Broadway and Olentangy River Road in the amount of \$4,412,416.72.

In 2017 the City of Columbus established a collaborative relationship with OhioHealth to coordinate the funding, design, and construction of the North Broadway and Olentangy River Road public infrastructure improvements.

Ordinance 1723-2017 authorized the Director of Public Service to execute a contribution agreement with OhioHealth, effective April 20, 2018, pursuant to which OhioHealth deposited \$4,265,315.86 with the City to facilitate the construction of the following projects: SR315 at North Broadway - Interchange Project 1 and SR315 at North Broadway - W. North Broadway at OhioHealth Parkway.

Ordinance 0780-2018 authorized the Director of Public Service to execute a construction reimbursement agreement with OhioHealth, effective July 10, 2018, pursuant to which OhioHealth deposited \$147,100.86 with the City to facilitate the performance of construction administration and inspection services relative to the SR315 at North Broadway - W. North Broadway at OhioHealth Parkway project.

At the time of execution of those agreements, the Department of Public Service did not have sufficient funds available to support the completion of the aforementioned projects, necessitating the acceptance of upfront deposits from OhioHealth for that purpose. The City Auditor since has authorized Public Service to advance monies allocated in the 2018 Capital Improvement Budget for the North Broadway and Olentangy River Road public infrastructure improvements by certifying the requisite funds against the Special Income Tax Fund until such time as the receipt of bond sale proceeds

occurred. This eliminated the need to use the funds OhioHealth had deposited.

## **2. CONTRACT COMPLIANCE INFORMATION**

The contract compliance number for OhioHealth Corporation is CC006104, which expires April 17, 2019.

## **3. FISCAL IMPACT**

Funding in the amount of \$4,412,416.72 is available within the Street & Highway Improvements Non-Bond Fund relative to this expenditure.

## **4. EMERGENCY JUSTIFICATION**

Emergency action is requested in order to facilitate the return of unused construction and inspection deposits to OhioHealth as soon as reasonably practicable.

To amend the 2018 Capital Improvement Budget; to authorize the City Auditor to appropriate funds within the Street & Highway Improvements Non-Bond Fund; to authorize the Director of Public Service to refund monies to OhioHealth Corporation ("OhioHealth") representing the unexpended balance of upfront deposits made by OhioHealth to support the construction of certain public infrastructure improvements in the vicinity of North Broadway and Olentangy River Road; to authorize the expenditure of \$4,412,416.72 from the Street & Highway Improvements Non-Bond Fund for that purpose; and to declare an emergency. (\$4,412,416.72)

**WHEREAS**, in 2017, the City of Columbus and OhioHealth Corporation ("OhioHealth") established a collaborative relationship to advance the design and construction of certain public infrastructure improvements in the vicinity of North Broadway and Olentangy River Road; and

**WHEREAS**, Ordinances 1723-2017 and 0780-2018 authorized the Director of Public Service to execute agreements with OhioHealth, pursuant to which OhioHealth deposited funds totaling \$4,412,416.72 with the City to facilitate the construction and inspection of SR315 at North Broadway - Interchange Project 1 and the SR315 at North Broadway - W. North Broadway at OhioHealth Parkway project; and

**WHEREAS**, at the time of execution of those agreements, the Department of Public Service did not have sufficient funds available to support the completion of the aforementioned projects, necessitating the acceptance of upfront deposits from OhioHealth for that purpose; and

**WHEREAS**, the City Auditor since has authorized Public Service to advance monies allocated in the 2018 Capital Improvement Budget for the North Broadway and Olentangy River Road public infrastructure improvements by certifying the requisite funds against the Special Income Tax Fund until such time as the receipt of bond sale proceeds occurred later this year; and

**WHEREAS**, it is necessary to amend the 2018 Capital Improvement Budget; and

**WHEREAS**, this legislation authorizes the Director of Public Service to refund the unexpended balance of upfront deposits made by OhioHealth to support the completion of the aforementioned projects; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to refund the monies owed to OhioHealth as soon as reasonably practicable, thereby immediately 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 from the unappropriated monies 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, 2018, the sum of \$4,412,416.72 is appropriated in Fund 7766 (Street & Highway Improvements Non-Bond Fund), Dept-Div 59-12 (Division of Design and Construction), Project P441759-100000 (SR315 at North Broadway - Ramp 6C Removal), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 2.** That the 2018 Capital Improvements Budget authorized by ordinance 1010-2018 be amended as follows to

establish sufficient authority for this project:

**Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

7766 / P441759-100000 / SR315 - Ramp 6C Removal / \$0.00 / \$4,412,417.00 / \$4,412,417.00

**SECTION 3.** That the Director of Public Service be and hereby is authorized to refund the unexpended balance of funds deposited by OhioHealth Corporation with the City to facilitate the construction of public infrastructure improvements in the vicinity of North Broadway and Olentangy River Road.

**SECTION 4.** That the expenditure of \$4,412,416.72, or so much thereof as may be needed, is hereby authorized in Fund 7766 (Street & Highway Improvements Non-Bond Fund), Dept-Div 59-12 (Division of Design and Construction), P441759-100000 (SR315 at North Broadway - Ramp 6C Removal), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 5.** 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 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 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 8.** That, for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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 (10) days after its passage if the Mayor neither approves nor vetoes the same.