



## Legislation Text

**File #: 1723-2017, Version: 1**

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into agreements with and accept contributions in the amount of up to \$5,000,000.00 from OhioHealth Corporation ("OhioHealth") relative to the design and construction of public infrastructure improvements in the vicinity of North Broadway and Olentangy River Road (the "Projects"), to authorize the City Auditor to appropriate the funds, and to, as necessary, provide a refund to OhioHealth after the project activities and final accounting are complete.

Pursuant to Ordinance No. 2237-2016, passed by City Council on September 19, 2016, the City and OhioHealth entered into an Economic Development Agreement on March 20, 2017, through which the parties agreed to coordinate the funding, design and construction of the Projects. OhioHealth is undertaking the design of the Projects and also is expected to undertake construction of some of the Projects. However, it may be necessary for the City to administer certain activities related to the design and construction of the Projects, which will require upfront funding from OhioHealth.

### 2. CONTRACT COMPLIANCE INFORMATION

OhioHealth Corporation will be required to become contract compliant before entering into agreement with the City.

### 3. FISCAL IMPACT

OhioHealth has agreed to provide funding to the Department of Public Service for any costs associated with the City's administration of certain project activities, which may be required, in a total amount of up to \$5,000,000.00.

### 4. EMERGENCY DESIGNATION

Emergency action is requested to allow for immediate execution of requisite agreements necessary to facilitate activities associated with the City's administration of the aforementioned improvements in a timely manner in order to maintain the project schedule and to meet community commitments.

To authorize the Director of Public Service to enter into contribution agreements with OhioHealth to accept funding for project costs associated with the design and construction of public infrastructure improvements in the vicinity of North Broadway and Olentangy River Road; to authorize the City Auditor to appropriate the money received from OhioHealth; to provide a refund to OhioHealth Corporation after the project activity and final accounting are complete, if necessary; and to declare an emergency. (\$5,000,000.00)

**WHEREAS**, pursuant to Ordinance No. 2237-2016, the City and OhioHealth entered into an Economic Development Agreement, through which the parties agreed to coordinate the funding, design and construction of public infrastructure improvements in the vicinity of North Broadway and Olentangy River Road (the "Projects"); and

**WHEREAS**, although OhioHealth is currently undertaking the design of the Projects and also is expected to undertake construction of some of the Projects, it may be necessary for the City to administer certain project activities requiring upfront funding from OhioHealth; and

**WHEREAS**, OhioHealth has agreed to make contributions to the City to pay for costs associated with the City's administration of certain activities related to the design and construction of the Projects; and

**WHEREAS**, it is necessary to authorize the Director of Public Service to enter into agreements with and accept funding from OhioHealth relative to the completion of the Projects, and to, as necessary, provide a refund to OhioHealth after the project activities and final accounting are complete; 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 execution of said contribution agreements and the acceptance of requisite funds to pay for costs associated with the design and construction of the Projects in order to maintain the project schedule and to meet community commitments, 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 the Director of Public Service be and hereby is authorized to enter into contribution agreements with OhioHealth Corporation, 180 East Broad Street, 34<sup>th</sup> Floor, Columbus, Ohio 43215; to accept funding for public infrastructure improvements in the vicinity of North Broadway and Olentangy River Road; and to, as necessary, provide a refund to OhioHealth after the project activities and final accounting are complete.

**SECTION 2.** 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, 2017, the sum of \$5,000,000.00 is appropriated in Fund 7766 Street and Highway Improvements (Non-Bond) Fund per the account codes in the attachment to this ordinance.

**SECTION 3.** 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 4.** 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 5.** 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.