



## Legislation Text

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**File #: 0894-2019, Version: 1**

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### 1. BACKGROUND

This legislation authorizes payment for utility relocation work for the Miscellaneous Economic Development - Creative Campus Phase 2 project to American Electric Power, Columbia Gas of Ohio, AT&T, Spectrum/Charter Communications (aka Time Warner), Windstream, other utilities as needed, and companies the utilities may subcontract to perform utility relocation work in an amount up to \$830,223.00.

The Public Service Department is engaged in the Miscellaneous Economic Development - Creative Campus Phase 2 project. Project work includes transforming Cleveland Avenue (North of Mt. Vernon Avenue to South of Long Street) from 4 lanes to 3 lanes to include a center turn lane, wider sidewalks, safer crosswalks, overhead utility burial, new street trees, and on-street parking to complement Creative Campus neighborhood improvement efforts. This project is in the area known as Creative Campus located in Downtown Columbus (Columbus Communities #55).

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. It is necessary to move utilities to complete this project.

The funding request for utilities relocation reimbursement is based upon estimates from the utilities. The utilities will invoice the City for actual costs incurred in relocating the utilities. It is anticipated additional legislation will need to be submitted to encumber funds to complete the utility relocations.

### 2. FISCAL IMPACT

Funding for this expense was budgeted and is available within Fund 7704, the Streets and Highways Bond Fund.

### 3. EMERGENCY DESIGNATION

Public Service is requesting emergency designation so as to provide funding for utility reimbursements at the earliest possible time to prevent construction delays.

To authorize the Director of Public Service to pay utility relocation costs to various utilities for the Miscellaneous Economic Development - Creative Campus Phase 2 project; to authorize the expenditure of up to \$830,223.00, for utility relocations for this project from the Streets & Highways Bond Fund; and to declare an emergency. (\$830,223.00)

**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**, utility relocations must be completed before construction can begin; and

**WHEREAS**, the Department of Public Service requires funding to be available for utility relocation expenses for the Miscellaneous Economic Development - Creative Campus Phase 2 project; and

**WHEREAS**, this ordinance authorizes funding in the amount of \$830,223.00 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 payment for utility relocation expenses at the earliest possible time to prevent construction delays, 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 reimburse utilities for utility relocation costs for the Miscellaneous Economic Development - Creative Campus Phase 2 project by American Electric Power, Columbia Gas of Ohio, AT&T, Spectrum/Charter Communications (aka Time Warner), Windstream, other utilities as needed, and companies the utilities may subcontract to perform utility relocation work for the project.

**SECTION 2.** That the expenditure of \$830,223.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), in Dept-Div 59-12 (Division of Design and Construction), Project P440104-100027 (Miscellaneous Economic Development - Creative Campus Phase 2), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 3.** 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 4.** 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 5.** 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 6.** For the reasons stated in this ordinance's preamble, which are made a part of this ordinance, this ordinance is declared to be an emergency measure and is effective and 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 this ordinance.