



Legislation Text

File #: 0088-2026, **Version:** 1

1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into a Master Maintenance Agreement with Safer Downtown, LLC (“Safer Downtown”) wherein Safer Downtown assumes the maintenance responsibilities of the Capital Crossroads Special Improvement District (the “Downtown SID”) for nonstandard improvements located within the public right-of-way.

Between 2007 and 2023, public-private partnerships between the City of Columbus and the Downtown SID provided for the funding, design, construction, and maintenance of several capital improvement projects in downtown Columbus. As part of the construction of these improvements, certain features of a non-standard variety, including, but not limited to landscape, hardscape, irrigation, lighting, signage, and single-user public restrooms (the “Enhancements”) were installed on the condition that the Downtown SID undertake the maintenance of these improvements. The Downtown SID’s responsibilities for the maintenance of these Enhancements were memorialized in maintenance agreements, service contracts or reimbursement agreements for each project in which Enhancements were included (collectively, the “SID Agreements”).

Downtown clean and safe services provided by the Downtown SID are currently transitioning to Safer Downtown. Once the transition has been completed, Safer Downtown will manage these services and assume responsibility for the maintenance of existing Enhancements.

This legislation will authorize the directors of the Department of Public Service and the Department of Finance and Management to terminate the SID Agreements in the manner contemplated in each of the agreements, and further authorize the Director of Public Service to execute a Master Maintenance Agreement with Safer Downtown for all existing Enhancements, along with subsequent future amendments thereto, if and when additional Enhancements are installed as part of future capital improvement projects resulting from public-private partnerships with Safer Downtown.

2. FISCAL IMPACT

There is no anticipated cost to the City for this Master Maintenance Agreement.

3. EMERGENCY JUSTIFICATION

This legislation is being put forth as an emergency measure in order to ensure that maintenance activities continue without interruption. A 30-day delay could create unsanitary and unsafe conditions for the general public.

To authorize the directors of the Department of Public Service and the Department of Finance and Management to terminate agreements with the Capital Crossroads Special Improvements District related to the maintenance of nonstandard improvements in the public right-of-way in downtown Columbus; to authorize the Director of Public Service to enter into a Master Maintenance Agreement with Safer Downtown, LLC for said improvements; and to declare an emergency. (\$0.00)

WHEREAS, public-private partnerships between the City and the Capital Crossroads Special Improvement District (the “Downtown SID”) provided for the funding, design, construction, and maintenance of capital improvement projects in downtown Columbus between 2007 and 2023; and

WHEREAS, these capital improvement projects included features of a nonstandard variety, including landscape, hardscape, irrigation, lighting, signage and single-user public restrooms (the “Enhancements”) that were installed on the

condition that the Downtown SID undertake the long-term maintenance of these improvements; and

WHEREAS, the Downtown SID’s responsibilities for the maintenance of these Enhancements were memorialized in certain agreements for each capital improvement project in which Enhancements were included; and

WHEREAS, clean and safe services provided by the Downtown SID are transitioning to Safer Downtown, LLC (“Safer Downtown”), and once the transition is complete, Safer Downtown will manage these services and also assume responsibility for the maintenance of Enhancements currently maintained by the Downtown SID; and

WHEREAS, it is necessary to authorize the directors of the Department of Public Service and the Department of Finance and Management to terminate the SID Agreements in the manner contemplated in each agreement and to further authorize the Director of Public Service to execute a Master Maintenance Agreement with Safer Downtown for all existing Enhancements, along with subsequent future amendments thereto, if and when additional enhancements are installed as part of future public-private partnerships with Safer Downtown; and

WHEREAS, an emergency action is requested to authorize the passage of this legislation to enable the City to terminate the existing agreements and to execute a new agreement as soon as possible to ensure that maintenance activities continue without disruption and do not create unsafe or unsanitary conditions for the public, all for the immediate preservation of public health, peace, property, safety and welfare; **NOW THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the directors of the Department of Public Service and the Department of Finance and Management are hereby authorized to terminate the following agreements with the Capital Crossroads Special Improvement District, in the manner contemplated by each agreement, as it relates to the maintenance of nonstandard improvements installed in the public right-of-way in downtown Columbus:

| Project Improvements | City Department | Agreement |
|---|------------------------|------------------|
| Downtown Wayfinding Signage Program Improvements + Addendum | Public Service | Capital |
| Improvements Project Reimbursement Agreement | 7/12/2007 | |
| Bikeway Infrastructure Improvements | Finance and Management | Energy |
| Efficiency and Conservation Block Grant Contract for Services | 4/23/2012 | |
| Capital Square Improvements | Public Service | |
| Landscape Maintenance Agreement | 9/7/2012 | |
| Downtown Clocks | Public Service | Capital |
| Improvements Project Construction Reimbursement Agreement | 11/9/2012 | |
| Nationwide Boulevard (Front Street to 4th Street) | Public Service | |
| Infrastructure Maintenance Agreement | 5/28/2014 | |
| Gay Street (Front Street to 4th Street) | Public Service | |
| Contribution and Infrastructure Maintenance Agreement | 11/21/2018 | |
| Permanent Public Restrooms | Public Service | |
| Infrastructure Maintenance Agreement | 12/11/2023 | |
| Pearl & Lynn Improvements agreement | Public Service | No |
| | N/A | |

SECTION 2. That the Director of Public Service is hereby authorized to execute a Master Maintenance Agreement with Safer Downtown, LLC for all existing Enhancements, along with subsequent future amendments thereto, as additional enhancements are installed as part of future public-private partnerships with Safer Downtown, LLC.

SECTION 3. 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.