



Legislation Details (With Text)

File #: 1555-2009 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/6/2009 **In control:** Utilities Committee

On agenda: 12/7/2009 **Final action:** 12/9/2009

Title: To authorize the City Attorney to expend \$4,025,000.00 from the Sanitary B.A.B.s (Build America Bonds) Fund for the OSIS Augmentation and Relief Sewer (OARS) Project, to authorize the transfer of a total of \$4,025,000.00 in funds from within the Sanitary B.A.B.s (Build America Bonds) Fund; to amend the 2009 Capital Improvement Budget and to declare an emergency. (\$4,025,000.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/9/2009	1	CITY CLERK	Attest	
12/8/2009	1	MAYOR	Signed	
12/7/2009	1	Columbus City Council	Approved	
12/7/2009	1	COUNCIL PRESIDENT	Signed	
11/23/2009	1	Atty Drafter	Sent for Approval	
11/23/2009	1	Auditor Reviewer	Reviewed and Approved	
11/23/2009	1	CITY AUDITOR	Reviewed and Approved	
11/23/2009	1	Atty Drafter	Sent to Clerk's Office for Council	
11/23/2009	1	City Clerk's Office	Sent back for Clarification/Correction	
11/23/2009	1	Utilities Drafter	Sent to Clerk's Office for Council	
11/17/2009	1	Atty Reviewer	Reviewed and Approved	
11/17/2009	1	Atty Drafter	Sent for Approval	
11/17/2009	1	Auditor Reviewer	Reviewed and Disapproved	
11/13/2009	1	Utilities Drafter	Sent for Approval	
11/13/2009	1	CITY ATTORNEY	Reviewed and Approved	
11/13/2009	1	Utilities Drafter	Sent for Approval	
11/13/2009	1	Auditor Reviewer	Reviewed and Disapproved	
11/13/2009	1	Utilities Drafter	Sent for Approval	
11/13/2009	1	Atty Drafter	Sent for Approval	
11/12/2009	1	UTILITIES DIRECTOR	Reviewed and Approved	
11/12/2009	1	Utilities Drafter	Sent for Approval	
11/12/2009	1	Finance Reviewer	Reviewed and Approved	

11/12/2009	1	Finance Reviewer	Reviewed and Approved
11/12/2009	1	FINANCE DIRECTOR	Reviewed and Approved
11/11/2009	1	Utilities Drafter	Sent for Approval
11/11/2009	1	Utilities Reviewer	Reviewed and Approved
11/11/2009	1	Utilities Reviewer	Sent for Approval
11/10/2009	1	Atty Drafter	Sent for Approval
11/10/2009	1	Utilities Reviewer	Reviewed and Approved

BACKGROUND: Ordinance No. 0361-2009, Passed April 4, 2009, authorized the City Attorney to acquire certain property rights, and to expend certain monies in connection with the OSIS Augmentation and Relief Sewer (OARS) Project. The original amount of funding made available for this project was done so with the understanding that additional monies may be needed at a later date. On October 26th prior to commencement of a trial on the appropriation Inland Products, Inc. offered to sell fee title to property over which the City was appropriating easements for the OARS project. Given this property may be needed at some future date for anticipated expansion of the Jackson Pike Wastewater Treatment Plant purchase of the fee was considered to be more economic. Consequently additional funds are needed. It is now necessary to authorize the City Attorney to expend \$4,025,000 to pay for additional acquisition costs in connection with this project and to amend the 2009 Capital Improvement Budget.

FISCAL IMPACT: The Department of Public Utilities, Division of Sewerage and Drainage has determined the additional funding for this project will be from the Sanitary B.A.B.s (Build America Bonds) Fund and to amend the 2009 Capital Improvement Budget.

EMERGENCY JUSTIFICATION: Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay.

To authorize the City Attorney to expend \$4,025,000.00 from the Sanitary B.A.B.s (Build America Bonds) Fund for the OSIS Augmentation and Relief Sewer (OARS) Project, to authorize the transfer of a total of \$4,025,000.00 in funds from within the Sanitary B.A.B.s (Build America Bonds) Fund; to amend the 2009 Capital Improvement Budget and to declare an emergency. (\$4,025,000.00)

WHEREAS, the City of Columbus is engaged in the OSIS Augmentation and Relief Sewer (OARS) Project; and

WHEREAS, Ordinance No. 0361-2009, passed April 4, 2009, authorizing the City Attorney to acquire certain property rights, and to expend monies in connection with the OSIS Augmentation and Relief Sewer (OARS) Project; and

WHEREAS, an opportunity to purchase fee simple title to property owned by Inland Products, Inc. presently needed for the OARS project and for probably future expansion of the Jackson Pike Wastewater Treatment Plant was offered by Inland as part of a proposed settlement of the City's appropriation case to acquire easements for the OARS project; and

WHEREAS, purchase of fee simple rather than easements is considered in the best long term interest of the City in planning for construction future additions to Jackson Pike Wastewater Treatment Plant; and

WHEREAS, it is necessary to authorize the transfer of cash in the amount \$4,025,000.00 within the Sanitary B.A.B.s (Build America Bonds) Fund; and

WHEREAS, it is necessary to authorize an amendment to the 2009 Capital Improvement Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditures; and

WHEREAS, the preliminary amount of funding originally made available for this project was done so with the understanding that additional monies may be needed at a later date; and

WHEREAS, an emergency exists in that it is immediately necessary to authorize the expenditure of \$4,025,000.00, for the OSIS Augmentation and Relief Sewer (OARS) Project, to pay additional fees necessary to the acquisition of real estate for the above referenced project for the preservation of 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 expenditure of \$4,025,000.00, or so much thereof as may be necessary by the City Attorney, for the Department of Public Utilities, Division of Sewerage and Drainage, Project No. 650704-100001 from the Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, OCA Code 651704, Object Level Three 6601, for the appropriation of said real property interests determined to be necessary for the stated public purpose is hereby authorized.

SECTION 2. That the City Auditor is hereby authorized to transfer \$4,025,000.00 within the Department of Public Utilities Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, Object Level Three 6601, as follows:

From:

Project No. | Project Name | OCA Code | change
650691-100002 | OSIS Downtown Odor Control | 651692 | (-\$4,025,000.00)

To:

Project No. | Project Name | OCA Code | change
650704-100001 | JPWWTP OSIS Augmentation and Relief Sewer | 651704 | (+\$4,025,000.00)

SECTION 3. That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows, to provide sufficient budget authority for the award of the agreement stated herein.

Project No. | Project Name | Current Authority | Revised Authority | (Change)
650691-100002 | OSIS Downtown Odor Control | \$5,825,000.00 | \$1,800,000.00
| (-\$4,025,000.00)
650704-100001 | JPWWTP OSIS Augmentation and Relief Sewer | \$2,139,083.00 | \$6,164,083.00 | (+\$4,025,000.00)

SECTION 4. That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance 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; except that no transfer shall be made from a project by monies from more than one source.

SECTION 5. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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 passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.