



Legislation Details (With Text)

File #: 1134-2005 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/14/2005 **In control:** Utilities Committee

On agenda: 7/11/2005 **Final action:** 7/14/2005

Title: To authorize the City Attorney to acquire fee simple title and lesser interests; to contract for professional services; to authorize the transfer and expenditure of \$15,000.00 from the Voted Sanitary Bond Fund in connection with the Clinton Heights Area Sanitary Improvements Project; to amend the 2004 Capital Improvements Budget for the Division of Sewerage and Drainage; and to declare an emergency. (\$15,000.00)

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|------------------------------------|--------|
| 7/14/2005 | 1 | ACTING CITY CLERK | Attest | |
| 7/13/2005 | 1 | MAYOR | Signed | |
| 7/11/2005 | 1 | Columbus City Council | Approved | Pass |
| 7/11/2005 | 1 | COUNCIL PRESIDENT | Signed | |
| 6/27/2005 | 1 | Auditor Reviewer | Reviewed and Approved | |
| 6/27/2005 | 1 | CITY AUDITOR | Reviewed and Approved | |
| 6/27/2005 | 1 | Utilities Drafter | Sent for Approval | |
| 6/27/2005 | 1 | CITY ATTORNEY | Sent to Clerk's Office for Council | |
| 6/24/2005 | 1 | Auditor Reviewer | Reviewed and Disapproved | |
| 6/24/2005 | 1 | Utilities Drafter | Sent for Approval | |
| 6/22/2005 | 1 | Utilities Drafter | Sent for Approval | |
| 6/21/2005 | 1 | ODI DIRECTOR | Reviewed and Approved | |
| 6/17/2005 | 1 | FINANCE DIRECTOR | Reviewed and Approved | |
| 6/17/2005 | 1 | Utilities Drafter | Sent for Approval | |
| 6/17/2005 | 1 | EBOCO Reviewer | Reviewed and Approved | |
| 6/16/2005 | 1 | Finance Reviewer | Reviewed and Approved | |
| 6/15/2005 | 1 | Utilities Drafter | Sent for Approval | |
| 6/15/2005 | 1 | Utilities Reviewer | Sent for Approval | |
| 6/15/2005 | 1 | UTILITIES DIRECTOR | Reviewed and Approved | |
| 6/15/2005 | 1 | Utilities Drafter | Sent for Approval | |
| 6/15/2005 | 1 | UTILITIES DIRECTOR | Reviewed and Approved | |

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|-----------|---|--------------------|-----------------------|
| 6/15/2005 | 1 | Utilities Drafter | Sent for Approval |
| 6/14/2005 | 1 | Utilities Drafter | Sent for Approval |
| 6/14/2005 | 1 | Utilities Reviewer | Reviewed and Approved |

1. BACKGROUND:

This ordinance is necessary to provide the City Attorney with an additional \$15,000.00 for the cost of the easements that are necessary to successfully construct the Clinton Heights Area Sanitary Improvements Project. The Division has previously established funding in the amount of \$45,000.00 for these services. The City Attorney has recently received the easement appraisal reports, and based upon these reports, the City is required to increase the funding by the additional \$15,000.00 in order to fulfill the easement acquisition requirements of the Ohio Water Development Authority, and the project schedule.

2. EMERGENCY DESIGNATION:

The Division of Sewerage and Drainage is requesting City Council to consider this ordinance an emergency measure. This project is among a list of projects that the Division is required to be completed in accordance with the provisions of an existing consent order between the City and the Ohio Attorney General's Office. Failure to adhere to the project schedule contained within the consent order will make the City liable for stipulated fines.

To authorize the City Attorney to acquire fee simple title and lesser interests; to contract for professional services; to authorize the transfer and expenditure of \$15,000.00 from the Voted Sanitary Bond Fund in connection with the Clinton Heights Area Sanitary Improvements Project; to amend the 2004 Capital Improvements Budget for the Division of Sewerage and Drainage; and to declare an emergency. (\$15,000.00)

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities, has developed construction plans and specifications for the sanitary sewer improvement projects known as the Clinton Heights Area Sanitary Improvements Project; and by virtue of Ordinance 0397-2005, as passed March 21, 2005, provided funding for easement acquisition services; and

WHEREAS, the City Attorney has received qualified appraisals for the cost of the easements and has determined that additional funding is required to allow for the completion of the easement acquisition process; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the transfer and expenditure of funds within the Voted Sanitary Bond Fund that is necessary to allow for the completion of the easement acquisition services necessary to construct the Clinton Heights Area Sanitary Improvements Project which is required as a result of the Consent Order entered into between the City of Columbus and the Ohio Attorney General for purposes of addressing wet weather overflow issues; and to amend the 2004 Capital Improvements; for the preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That the City Auditor is hereby authorized and directed to transfer \$15,000.00 from within the Voted Sanitary Bond Fund No. 663, for the Division of Sewerage and Drainage as follows:

FROM:

650315-Compost Facility/Active Solar| OCA: 642876| Amount: \$15,000.00

TO:

650675-Clinton Heights Area Sanitary Imps.| OCA: 663675| Amount: \$15,000.00

Section 2. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the 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; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 3. That the City Attorney be, and hereby is, authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the Clinton Heights Area Sanitary Improvements Project.

Section 4. That the City Attorney be and hereby is authorized to expend an additional \$15,000.00, or so much thereof as may be necessary, in order to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the

professional services necessary, from the Voted Sanitary Bond Fund No. 663; Division 60-05| MOC 6601 as follows:

Proj. No. 650675| Clinton Heights Area San. Imps.| OCA Code 663675| \$15,000.00

Section 5. That the 2004 Capital Improvements Budget Ordinance No. 1059-2004 is hereby amended as follows, in order to provide sufficient budget authority for the aforementioned easement acquisition services as referenced in the preamble hereto.

CURRENT:

650315-Clinton Heights Area San. Imps. - \$15,000.00

AMENDED TO:

650675-Clinton Heights Area San. Imps. - \$15,000.00

Section 6. 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.