



Legislation Details (With Text)

File #: 0577-2011 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 3/31/2011 **In control:** Public Utilities Committee
On agenda: 5/2/2011 **Final action:** 5/4/2011

Title: To authorize the Director of Public Utilities to apply for, accept, and enter into up to eleven (11) Ohio Water Pollution Control Loan Fund Agreements with the Ohio Water Development Authority and the Ohio Environmental Protection Agency, for the financing of up to eleven Division of Sewerage and Drainage Division (DOSD) construction projects; to designate a dedicated source of repayment for the loans; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/4/2011	1	CITY CLERK	Attest	
5/3/2011	1	MAYOR	Signed	
5/2/2011	1	Columbus City Council	Approved	Pass
5/2/2011	1	COUNCIL PRESIDENT	Signed	
4/20/2011	1	CITY ATTORNEY	Reviewed and Approved	
4/20/2011	1	Utilities Drafter	Sent to Clerk's Office for Council	
4/19/2011	1	Finance Reviewer	Reviewed and Approved	
4/19/2011	1	FINANCE DIRECTOR	Reviewed and Approved	
4/19/2011	1	Utilities Drafter	Sent for Approval	
4/19/2011	1	Auditor Reviewer	Reviewed and Approved	
4/19/2011	1	Auditor Reviewer	Reviewed and Approved	
4/19/2011	1	CITY AUDITOR	Reviewed and Approved	
4/19/2011	1	Utilities Drafter	Sent for Approval	
4/19/2011	1	Utilities Drafter	Sent for Approval	
4/15/2011	1	Finance Reviewer	Reviewed and Approved	
4/15/2011	1	Finance Reviewer	Reviewed and Approved	
4/13/2011	1	UTILITIES DIRECTOR	Reviewed and Approved	
4/13/2011	1	Utilities Drafter	Sent for Approval	
4/12/2011	1	Utilities Drafter	Sent for Approval	
4/12/2011	1	Utilities Reviewer	Sent for Approval	
4/11/2011	1	Utilities Reviewer	Reviewed and Approved	

4/1/2011	1	Utilities Reviewer	Reviewed and Approved
4/1/2011	1	Utilities Reviewer	Reviewed and Approved
3/31/2011	1	Utilities Drafter	Sent for Approval

1. BACKGROUND

Need: The Ohio EPA requires this legislation which authorizes the Director of Public Utilities to apply for and execute up to eleven (11) Ohio Water Pollution Control Loan Fund (WPCLF) loan agreements totaling approximately \$22.5 million, for construction of eleven Sanitary projects as identified in Section 1., under the direction of the Division of Sewerage and Drainage. This loan program is jointly administered by the Ohio EPA's Division of Environmental and Financial Assistance, and the Ohio Water Development Authority (OWDA). The WPCLF Loan Fund program provides below-market interest rate loans for municipal wastewater treatment improvements.

2. EMERGENCY DESIGNATION: WPCLF loan applications are now being processed for these projects. This authorizing legislation is a requirement for loan approval and must be submitted to the Ohio EPA as a part of each loan application prior to consideration by the Ohio Water Development Authority (OWDA) board for loan award. For the purpose of keeping projects on schedule, therefore, emergency designation is needed.

FISCAL IMPACT

Budgeted Amount: There is sufficient budget authority in the 2011 Sewer Systems Operating Funds for application fee expenditures. These loans will be paid off over a 20-year period from sewerage system fees (dedicated source of repayment). Sewerage system fee increases have been projected and planned in anticipation of these projects and loans.

To authorize the Director of Public Utilities to apply for, accept, and enter into up to eleven (11) Ohio Water Pollution Control Loan Fund Agreements with the Ohio Water Development Authority and the Ohio Environmental Protection Agency, for the financing of up to eleven Division of Sewerage and Drainage Division (DOSD) construction projects; to designate a dedicated source of repayment for the loans; and to declare an emergency.

WHEREAS, in 2011 the Department of Public Utilities is scheduled to prepare loan applications for up to \$22.5 million in financing, for submittal to the Ohio EPA under the Ohio Water Pollution Control Loan Fund (WPCLF) program to finance, through below-market interest rate loans, the construction of up to eleven Capital Improvements Projects under the Division of Sewerage and Drainage, which said financial assistance will be of help in reducing total project costs to the City's sewerage customers; and

WHEREAS, prior to WPLCF loan agreement approval by the Ohio Water Development Authority, the WPCLF loan application and loan agreement documents require the City to submit to the Ohio EPA a certified copy of the approved City Council legislation authorizing the Director of the Public Utilities Department to apply for and subsequently execute said WPCLF agreements, and to authorize a dedicated source of loan repayment for the loans; and

WHEREAS, this legislation must be approved and a certified copy must be submitted to the Ohio EPA prior to the OWDA board's consideration for approval as part of the loan application and loan agreement approval process, therefore 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 Director of Public Utilities to apply for, accept, and enter into to up to eleven (11) WPCLF Loan Agreements with the State of Ohio for the immediate preservation of the public peace, health, property, and safety; Now Therefore:

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

Section 1. That the Director of Public Utilities be, and hereby is, authorized to apply for, accept, and enter into up to eleven (11) Water Pollution Control Loan Fund Loan Agreements with the Ohio Water Development Authority and the Ohio Environmental Protection Agency, for the financing of up to eleven Division of Sewerage and Drainage projects as described with the "not to exceed" construction project costs in parenthesis, below:

1. First Avenue Inflow Redirection Project, CIP No. 650708-100000, WPCLF Loan No. CS390274-0143 (\$1,870,000.00).
2. Merwin Hill Area Assessment Sanitary Sewer Improvements, CIP No. 650699-100000, WPCLF Loan No. CS390274-0146; (\$668,152.00).

3. Skyline Drive Area Assessment Sanitary Sewer Improvements, CIP No. 650688-100000, WPCLF Loan No. CS390274-0149, (\$1,600,500.00)
4. Fulton/Mound/Noble Sewer Rehabilitation, CIP No. 650695-100000, WPCLF Loan No. CS390274-0124, (\$4,736,900.00).
5. Petzinger Road Assessment Sanitary Sewer Improvements, CIP No. 650739-100000, WPCLF Loan No. CS390274-0118, (\$1,100,000.00).
6. Portage Grove Area Assessment Sanitary Sewer Improvements, CIP No. 650700-100000, WPCLF Loan No. CS390274-0148, (\$1,255,100.00).
7. Large Diameter Sewer Rehabilitation - Olentangy Main Trunk Sewer Phase (B), CIP No. 650725-100001, WPCLF Loan No. CS390274-0145, (\$3,850,000.00).
8. Brimfield Area Sanitary Sewer Improvements, CIP No. 650744-100000, WPCLF Loan No. CS390274-0142, (\$144,100.00).
9. Franklin Main Interceptor Rehabilitation - Section 8, Phase III, CIP No. 650600-100008, WPCLF Loan No. CS390274-0144, (\$4,180,000.00).
10. SWWTP Sludge Thickening Improvements & Additional Renovations, CIP No. 650359-100000, WPCLF Loan No. CS390274-0122, (\$1,430,000.00).
11. City Linked-Deposit Program for HSTS, WPCLF Loan No. CS390274-0103, (\$1,638,000).

Section 2. That Sewerage System Service Charges is hereby authorized to be the dedicated source of repayment for the Water Pollution Control Loan Fund Loans.

Section 3. That for the reasons stated in the preamble hereto, which is 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.