



## Legislation Details (With Text)

**File #:** 1119-2010      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 7/8/2010      **In control:** Recreation & Parks Committee

**On agenda:** 9/20/2010      **Final action:** 9/23/2010

**Title:** To authorize and direct the Director of Recreation and Parks to modify the contract with M.A.D. Scientists, LLC for additional planting and monitoring of wetland buffer; to authorize the transfer of \$5,988.00 within the Storm B.A.B.s (Build America Bonds) Fund; to authorize an amendment to the 2010 Capital Improvements Budget; to authorize an expenditure of \$5,988.00 from the Storm B.A.B.s (Build America Bonds) Fund; and to declare an emergency. (\$5,988.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/23/2010	1	CITY CLERK	Attest	
9/21/2010	1	MAYOR	Signed	
9/20/2010	1	Columbus City Council	Approved	Pass
9/20/2010	1	COUNCIL PRESIDENT	Signed	
9/9/2010	1	Rec & Parks Drafter	Sent to Clerk's Office for Council	
9/7/2010	1	CITY ATTORNEY	Reviewed and Approved	
9/3/2010	1	Utilities Reviewer	Sent for Approval	
9/2/2010	1	Utilities Drafter	Sent for Approval	
9/2/2010	1	Utilities Reviewer	Sent for Approval	
9/2/2010	1	UTILITIES DIRECTOR	Reviewed and Approved	
9/1/2010	1	Utilities Reviewer	Reviewed and Approved	
8/16/2010	1	Utilities Drafter	Sent for Approval	
7/23/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
7/22/2010	1	Finance Reviewer	Reviewed and Approved	
7/19/2010	1	Finance Reviewer	Reviewed and Approved	
7/16/2010	1	Rec & Parks Drafter	Sent for Approval	
7/16/2010	1	Auditor Reviewer	Reviewed and Approved	
7/16/2010	1	CITY AUDITOR	Reviewed and Approved	
7/16/2010	1	Rec & Parks Drafter	Sent for Approval	
7/16/2010	1	CITY ATTORNEY	Reviewed and Disapproved	
7/16/2010	1	Rec & Parks Drafter	Sent for Approval	

7/12/2010	1	Rec & Parks Drafter	Sent for Approval
7/12/2010	1	Utilities Reviewer	Sent for Approval
7/9/2010	1	Utilities Drafter	Sent for Approval
7/9/2010	1	REC & PARKS DIRECTOR	Reviewed and Approved
7/8/2010	1	Rec & Parks Drafter	Sent for Approval

Stormwater Management unintentionally destroyed a wetland as part of the sewerage treatment facilities improvements in the Scioto River watershed in which they mitigated the forested wetland in Clover Park in fulfillment of Army Corps of Engineers 404 permit and Ohio EPA 401 permit requirements. The requirement to have less than five percent coverage of invasive species as part of the wetland portion was accepted by Public Utilities in the acceptance of the Permit conditions. However, through the required monitoring of the wetland, cattails are exceeding the five percent coverage condition and must be controlled to complete the permit conditions within the five-year period of monitoring. The monitoring is now in the fifth year.

Recreation and Parks seeks to enter into contract modification with M.A.D. Scientist, LLC to eradicate the invasive species. M.A.D. Scientist, LLC is responsible for preparing and submitting the reports required by permit to the Ohio EPA. M.A.D. Scientist, LLC is helping to help manage the wetland for control of invasive species with Recreation and Parks for its success. M.A.D. Scientist, LLC and Recreation and Parks are not responsible for the hydrology or construction of the wetlands or physical changes necessary to ensure the success of the wetland's establishment. The control of invasive species to less than 5% coverage require intervention and extensive measures beyond the previous scope of the project.

The Contract Compliance Number for M.A.D Scientist & Associates, LLC. #201126855.  
Contract compliant through: 4/13/2012

**FISCAL IMPACT:**

This legislation includes a transfer of funds within the Storm B.A.B.s (Build America Bonds) Fund and an amendment to the 2010 Capital Improvements Budget to allow sufficient cash and authority to be available in the proper project to cover the necessary expenditure.

To authorize and direct the Director of Recreation and Parks to modify the contract with M.A.D. Scientists, LLC for additional planting and monitoring of wetland buffer; to authorize the transfer of \$5,988.00 within the Storm B.A.B.s (Build America Bonds) Fund; to authorize an amendment to the 2010 Capital Improvements Budget; to authorize an expenditure of \$5,988.00 from the Storm B.A.B.s (Build America Bonds) Fund; and to declare an emergency. (\$5,988.00)

**WHEREAS**, it is necessary to authorize the transfer of \$5,988.00 within the Storm B.A.B.s (Build America Bonds) Fund for purposes of providing sufficient funding for additional planting and monitoring of wetland buffer; and

**WHEREAS**, it is necessary to authorize an amendment the 2010 Capital Improvement Budget for purposes of creating and providing sufficient budget authority for the aforementioned expenditure; and

**WHEREAS**, it is necessary for City Council to authorize the expenditure of funds from the Storm B.A.B.s (Build America Bonds) Fund; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to modify the contract with M.A.D. Scientist & Associates, LLC. To control the invasive species to less than 5% coverage requires intervention and extensive measures beyond the previous scope of the project can begin in a timely manner; **NOW, THEREFORE**

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

**Section 1.** That the Director of Recreation and Parks is authorized to modify the contract with M.A.D. Scientists, LLC for additional planting and monitoring of wetland buffer.

**Section 2.** That the City Auditor is hereby authorized and directed to transfer a total of \$5,988.00 from within Division of Sewerage

and Drainage | Dept./Div. 60-15 | Storm B.A.B.s (Build America Bonds) Fund No. 676 | Object Level One 06 | Object Level Three 6686:

From:

Proj. 610768-100000 | Shattuck/Clearview Storm Sewer | OCA 676768 | -\$5,988.00

To:

Proj. 610753-100000 | Pilot Wetlands Mitigation | OCA 676753 | +\$5,988.00

**Section 3.** That the 2010 Capital Improvements Budget Ordinance No. 0564-2010 is hereby amended as follows, to provide sufficient budget authority for the execution of the agreement increase stated herein:

Proj. No.	Proj. Name	Current Authority	Revised Authority	(Change)
610768-100000	Shattuck/Clearview Storm Sewer	\$6,428	\$440	(-\$5,988)
610753-100000	Pilot Wetlands Mitigation	\$0.00	\$5,988	(+\$5,988)

**Section 4.** That the expenditure of \$5,988.00, or as much thereof as may be needed, is hereby authorized from the Storm B.A.B.s (Build America Bonds) Fund | Fund 676 | Div. 60-15 | Proj. 610753-100000 | OCA Code 676753 | Object Level Three 6686.

**Section 5.** That the City Auditor is hereby authorized and directed 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

**Section 6.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**Section 7.** 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 8.** 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 10 days after passage if the Mayor neither approves nor vetoes the same.