



## Legislation Details (With Text)

**File #:** 0397-2005      **Version:** 1

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

**File created:** 2/17/2005      **In control:** Utilities Committee

**On agenda:** 3/28/2005      **Final action:** 3/31/2005

**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 \$391,500.00 from within the 1991 Voted Sanitary Bond Fund in connection with five sanitary infrastructure capital improvement projects; to amend the 2004 Capital Improvements Budget for the Division of Sewerage and Drainage; and to declare an emergency. (\$391,500.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/31/2005	1	CITY CLERK	Attest	
3/30/2005	1	MAYOR	Signed	
3/28/2005	1	Columbus City Council	Approved	Pass
3/28/2005	1	Columbus City Council	Taken from the Table	Pass
3/28/2005	1	COUNCIL PRESIDENT	Signed	
3/21/2005	1	Columbus City Council	Tabled to Certain Date	Pass
3/11/2005	1	Auditor Reviewer	Reviewed and Approved	
3/11/2005	1	CITY AUDITOR	Reviewed and Approved	
3/11/2005	1	Utilities Drafter	Sent for Approval	
3/11/2005	1	CITY ATTORNEY	Reviewed and Approved	
3/11/2005	1	Utilities Drafter	Sent to Clerk's Office for Council	
3/10/2005	1	Auditor Reviewer	Reviewed and Disapproved	
3/10/2005	1	Utilities Drafter	Sent for Approval	
3/8/2005	1	ODI DIRECTOR	Reviewed and Approved	
3/8/2005	1	Utilities Drafter	Sent for Approval	
3/7/2005	1	FINANCE DIRECTOR	Reviewed and Approved	
3/7/2005	1	Utilities Drafter	Sent for Approval	
3/7/2005	1	EBOCO Reviewer	Reviewed and Approved	
3/4/2005	1	Utilities Drafter	Sent for Approval	
3/4/2005	1	Finance Reviewer	Reviewed and Approved	
3/3/2005	1	Utilities Reviewer	Reviewed and Approved	

3/3/2005	1	UTILITIES DIRECTOR	Reviewed and Approved
3/1/2005	1	Utilities Drafter	Sent for Approval

1. BACKGROUND:

This ordinance will provide the City Attorney with funding for real estate acquisition services for the following sanitary capital improvement projects:

A. Clinton Heights/Colerain Sanitary Improvements: Provide \$75,000.00 for the estimated cost of title search; appraisal services; negotiation/staff costs and the projected cost of easements. This project is located in Clintonville.

B. Como/Milton Area Sanitary Improvements: Provide \$300,000.00 for the estimated cost of title search; appraisal services; negotiation/staff costs and the projected cost of easements. This project is located in Clintonville.

C. OSIS Augmentation Sewer, Whittier St. to Jackson Pike WWTP: Provide \$10,000.00 for the estimated cost of title search; appraisal services; and negotiation/staff costs. The Division of Sewerage and Drainage anticipates submitting additional legislation for funding the projected cost of the easements in late 2005 or early 2006. This project begins along the south side of the Whittier Peninsula and continues south along the Scioto River to the Jackson Pike Wastewater Treatment Plant.

D. Alum Creek Sanitary Trunk Storage Facilities: Provide \$10,000.00 for the estimated cost of title search; appraisal services; and negotiation/staff costs. The Division of Sewerage and Drainage anticipates submitting additional legislation for funding the projected cost of the easements in 2005. These easements are necessary to allow access for division personnel to maintain these sanitary storm tanks that are located at the southeast corner of Alum Creek Drive and E. Main Street.

E. Blacklick Creek Sanitary Interceptor, Section 6B Subtrunk: Provide an additional \$26,500.00, for the actual, increased costs of acquiring a permanent easement for this project that will continue the construction of this 66-inch diameter sanitary sewer north of Broad St. along Reynoldsburg-New Albany Road to Wengert Road.

2. EMERGENCY DESIGNATION:

The Division of Sewerage and Drainage is requesting City Council to consider this ordinance an emergency measure. The first two projects are 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 \$391,500.00 from within the 1991 Voted Sanitary Bond Fund in connection with five sanitary infrastructure capital improvement projects; to amend the 2004 Capital Improvements Budget for the Division of Sewerage and Drainage; and to declare an emergency. (\$391,500.00)

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/Colerain Sanitary Improvements; and the Como/Milton Area Sanitary Improvements; and is further in need of increasing the funding to complete the acquisition of an easement needed for the Blacklick Creek Sanitary Interceptor, Section 6B Subtrunk; and

WHEREAS, the Division of Sewerage and Drainage has further established a project that will construct an extension of the Olentangy-Scioto-Interceptor-Sewer (OSIS) from Whittier Street to the Jackson Pike Wastewater Treatment Plant; and has identified the need for an easement to effectively maintain the Alum Creek Sanitary Trunk Storage Facilities that are located on the southeast corner of Alum Creek Drive and E. Main Street; and

WHEREAS, in order to construct the aforementioned sanitary improvements and associated facilities, it has been determined necessary for this City Council to authorize the City Attorney to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary to complete said acquisition; 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 1991 Voted Sanitary Bond Fund; to authorize the City Attorney to procure the required easements necessary to construct and operate the aforementioned vital sanitary sewer improvements in accordance with the required project schedules; 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 \$391,500.00 from within the 1991 Voted Sanitary Bond Fund No. 664, for the Division of Sewerage and Drainage as follows:

FROM:

650032-Upper Scioto Area East Branch - \$71,204.04  
650195-Rocky Fork Interceptor - \$538.73  
650197-Marsh Run Sanitary Subtrunk - \$116.00  
650207-JPWWTP Misc Improvements & Maint. - \$567.95  
650208-JP & So. Interim Solids Disp. - \$2,734.02  
650216-Whittier St. Tank Improvements - \$37,934.47  
650232-JP PH Grit Tank Crane Repl. - \$24,864.22  
650340-Wastewater Plants Upgrade - \$6,403.03  
650452-Rocky Fork Trunk - \$21,433.42  
650475-Rose Run S subtrunk-\$4,000.00  
650489-Big Run San. Subt. - \$181,142.84  
650497-Upper Scioto W. Subt. Hayden Run - \$40,561.28

TO:

650034-Blacklick Sanitary Interceptor - \$26,500.00  
650675-Clinton Heights Area Sanitary Imps. - \$45,000.00  
650685-Como/Milton Area Sanitary Imps. - \$300,000.00  
650704-OSIS Augment. Sewer, Whittier to JPWWTP - \$10,000.00  
650705-Alum Creek San. Trunk Storage Facilities - \$10,000.00

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/Colerain Sanitary Improvements; the Como/Milton Area Sanitary Improvements; the Blacklick Sanitary Interceptor; the Olentangy-Scioto-Interceptor-Sewer (OSIS) from Whittier Street to the Jackson Pike Wastewater Treatment Plant; and the Alum Creek Sanitary Trunk Storage Facilities.

Section 4. That the City Attorney be and hereby is authorized to expend \$391,500.00, 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 1991 Voted Sanitary Bond Fund No. 664; Division 60-05; MOC 6601; within the following projects:

Proj. No. 650034| Blacklick Sanitary Interceptor| OCA 651034| \$26,500.00  
Proj. No. 650675| Clinton Heights Area San. Imps.| OCA Code 664675| \$45,000.00  
Proj. No. 650685| Como/Milton Area San. Imps.| OCA Code 664685| \$300,000.00  
Proj. No. 650704| OSIS Augment. Sewer Whittier to JPWWTP| OCA 664704| \$10,000.00  
Proj. No. 650705| Alum Creek San. Trunk Storage Facilities| OCA 664705| \$10,000.00

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:

650034-Blacklick Sanitary Interceptor - \$0.00  
650255-JPWWTP Skimmings Concentrator - \$39,332.00 Voted 1991  
650356-SWWTP Sludge Holding Sys. Imp. - \$92,689.81 Voted Sewer Carryover  
650360-WWTF Upgrade Engineering Co. - \$7,050,000.00 Voted 1991  
650675-Clinton Heights Area San. Imps. - \$0.00  
650685-Como/Milton Area San. Imps. - \$0.00  
650704-OSIS Augment. Sewer, Whittier to JPWWTP - \$0.00  
650705-Alum Creek Sa. Trunk Sewer Storage Fac.- \$0.00

AMENDED TO:

650034-Blacklick Sanitary Interceptor - \$26,500.00  
650255-JPWWTP Skimmings Concentrator - \$0.00 (-\$39,332.00)  
650356-SWWTP Sludge Holding Sys. Imp. - \$0.00 (-\$92,689.81)  
650360-WWTF Upgrade Engineering Co. - \$6,790,521.81 (-\$259,478.19)  
650675-Clinton Heights Area San. Imps. - \$45,000.00  
650685-Como/Milton Area San. Imps. - \$300,000.00  
650704-OSIS Augment. Sewer, Whittier to JPWWTP - \$10,000.00  
650705-Alum Creek San. Trunk Sewer Storage Fac. - \$10,000.00

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.