



## Legislation Details (With Text)

**File #:** 2297-2013      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 9/23/2013      **In control:** Public Utilities Committee  
**On agenda:** 10/28/2013      **Final action:** 10/30/2013  
**Title:** To authorize the Director of Public Utilities to enter into a contract for mutual aid with participating municipal corporations, in order to receive and provide mutual assistance during times of emergencies through the interchange and use of personnel, materials and equipment in the amount up to \$20,000.00 from the Electricity Operating Fund. (\$20,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. OR 2297-2013 Columbus Mutual Aid Agreement C-11-2012-9365

Date	Ver.	Action By	Action	Result
10/30/2013	1	CITY CLERK	Attest	
10/29/2013	1	MAYOR	Signed	
10/28/2013	1	COUNCIL PRESIDENT	Signed	
10/28/2013	1	Columbus City Council	Approved	Pass
10/21/2013	1	Columbus City Council	Read for the First Time	

**BACKGROUND:** This ordinance authorizes the Director of Public Utilities to enter into a contract for mutual aid with interstate and intrastate participating municipalities with municipal electric systems, in order to be able to receive and provide mutual assistance during times of emergencies through the interchange and use of personnel, materials and equipment. Members of American Municipal Power, Inc., (herein "AMP"), acting as Agent on behalf of the participants, organizes and assists in the operation of the Mutual Aid Program to allow for the exchange of assistance between AMP members during times of an emergency. The determination of the existence of an emergency shall be in the sole discretion of the requesting municipality. The requesting municipality shall be obligated to provide, and the responding municipality shall be entitled to receive reimbursement for the expenses incurred by a responding municipality in the provision of requesting aid. These expenses include labor and equipment expenses and expended material expenses. The maximum obligation under this agreement is \$20,000; however in the event mutual aid is requested and received beyond the reimbursement amount provided in this obligation amount additional funds will be requested in the amount necessary to reimburse for the full mutual aid authorized by the City.

Contract Compliance Number: 310943223, expires 1/12/2014

To authorize the Director of Public Utilities to enter into a contract for mutual aid with participating municipal corporations, in order to receive and provide mutual assistance during times of emergencies through the interchange and use of personnel, materials and equipment in the amount up to \$20,000.00 from the Electricity Operating Fund. (\$20,000.00)

**WHEREAS**, Section 735.051 of the Ohio Revised Code authorizes Ohio municipalities to enter into contracts in the case of real and present emergencies without formal bidding and advertising for work to be done and supplies to be purchased from municipal utilities, and;

**WHEREAS**, Section 715.02 of the Ohio Revised Code provides that two or more municipal corporations may enter into joint agreements relating to the operation of public utilities; and

**WHEREAS**, Sections 735.051 and 715.02, along with express and inherent authority granted by Articles XVIII of the Ohio Constitution to construct, operate and maintain utilities, provide the authority to the City to execute a Mutual Aid Agreement with other interstate and intrastate municipalities; and

**WHEREAS**, American Municipal Power, Inc. (herein “AMP”) organizes and manages a Mutual Aid Program among its member municipalities wherein members experiencing an emergency in the provision of electricity to customers of the municipal electric system can request assistance from other participating member municipalities, both intrastate and interstate, to assist the City in expediting repairs to its electric system to restore electric service as soon as possible; and

**WHEREAS**, the City is a member of AMP and operates a municipal electric system; and

**WHEREAS**, the City deems it prudent to enter into a Mutual Aid Agreement with AMP and other participating member municipalities to participate in the AMP Mutual Aid Program so that it can provide and receive aid and assistance in times of emergency; and

**WHEREAS**, a Mutual Aid Agreement to receive and provide assistance in times of emergency to preserve the public health, safety and welfare is a valid public purpose; now, therefore,

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

**SECTION 1.** That the Director of Public Utilities is authorized to execute the Mutual Aid Agreement, substantially in the form of the mutual agreement attached hereto.

**SECTION 2.** That any and all competitive bidding requirements are hereby waived.

**SECTION 3.** That the City agrees to reimburse any Signatory to the Mutual Aid Agreement all eligible costs for services provided to the City in accordance with the terms and conditions of the Mutual Aid Agreement in response to a request for aid from the Municipality up to a maximum of \$20,000; however in the event mutual aid is requested and received beyond the reimbursement provided for this obligation amount additional funds will be requested in the amount necessary to reimburse for the full mutual aid authorized by the City.

**SECTION 4** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 5.** That this expenditure of up to \$20,000 is hereby authorized from the Electricity Operating Fund 550, Division No. 60-07, OCA Code 600830, Object Level Three 3407.

**SECTION 6.** This Ordinance shall be in full force and effect at the earliest period provided by law.