



Legislation Details (With Text)

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On agenda: 5/2/2011 **Final action:** 5/4/2011

Title: To authorize and direct the Director of Public Utilities to apply for and enter into a Section 319 Grant Agreement with the Ohio Environmental Protection Agency for the Big Walnut Tributary Conservation Easement project; to accept the grant and to authorize the appropriation and expenditure in the amount of \$250,000.00; to authorize the City Auditor to transfer \$62,500.00 within the the Water Build America Bonds Fund ; to amend the 2011 Capital Improvements Budget; and to declare an emergency (\$312,500.00)

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	
4/21/2011	1	Finance Reviewer	Reviewed and Approved	
4/21/2011	1	FINANCE DIRECTOR	Reviewed and Approved	
4/21/2011	1	Utilities Drafter	Sent for Approval	
4/21/2011	1	Auditor Reviewer	Reviewed and Approved	
4/21/2011	1	CITY AUDITOR	Reviewed and Approved	
4/21/2011	1	Utilities Drafter	Sent for Approval	
4/21/2011	1	CITY ATTORNEY	Reviewed and Approved	
4/21/2011	1	Utilities Drafter	Sent to Clerk's Office for Council	
4/20/2011	1	Finance Reviewer	Sent for Approval	
4/20/2011	1	Utilities Reviewer	Sent for Approval	
4/20/2011	1	Finance Reviewer	Reviewed and Approved	
4/20/2011	1	Finance Reviewer	Reviewed and Approved	
4/19/2011	1	Utilities Drafter	Sent for Approval	
4/19/2011	1	Utilities Reviewer	Reviewed and Approved	
4/19/2011	1	Utilities Drafter	Sent for Approval	
4/19/2011	1	Utilities Drafter	Sent for Approval	
4/19/2011	1	Utilities Reviewer	Sent for Approval	

4/19/2011	1	UTILITIES DIRECTOR	Reviewed and Approved
4/19/2011	1	Utilities Drafter	Sent for Approval

1. BACKGROUND:

This legislation will authorize the Director of Public Utilities to apply for an Ohio Environmental Protection Agency Clean Water Act Section 319 Grant, enter into a Grant Agreement with the Ohio EPA and accept the Ohio EPA Grant monies if chosen for the award. The Section 319 grant program is administered by the Ohio Environmental Protection Agency. The grant program requires a 20% local match of funding amount. The total cost of the project is \$312,500.00. The grant amount is \$250,000.00. The Department of Public Utilities must request a transfer of \$62,500.00 within the Water Build America Bonds Fund.

The Section 319 Grant is administered by the Ohio Environmental Protection Agency. This grant is for the Big Walnut Tributary Conservation Easement project. The proposed project would protect 55 acres of land that contains both banks, floodplains and riparian areas of 3,220 lineal feet of a main stem stream and over 4,000 lineal feet of Primary Headwater streams that are directly adjacent to and empty into Hoover Reservoir. Protecting this land will also help protect the quality of the raw source water that supplies drinking water for a large portion of Central Ohio.

This is a Federal grant program that requires the project to be completed in three years.

2. EMERGENCY:

The grant application deadline is May 13, 2010 and the Department of Public Utilities is requesting City Council to deem this legislation an emergency measure to allow the Director to apply for and enter into the grant agreement as soon as possible upon award of the grant to expedite the project to take advantage of the construction season.

3. FISCAL IMPACT:

There is a 20% match requirement for this grant program (\$62,500.00). This match requirement only becomes requisite once the grant award is accepted, should the Department of Public Utilities be awarded the grant monies. The \$62,500.00 will come from the Water Build America Bonds Fund and will require a transfer within the fund, as well as an amendment to the 2011 Capital Improvements Budget. This Ordinance also requests the authority for the City Auditor to appropriate the proceeds of said grant for purposes of funding this project work.

To authorize and direct the Director of Public Utilities to apply for and enter into a Section 319 Grant Agreement with the Ohio Environmental Protection Agency for the Big Walnut Tributary Conservation Easement project; to accept the grant and to authorize the appropriation and expenditure in the amount of \$250,000.00; to authorize the City Auditor to transfer \$62,500.00 within the the Water Build America Bonds Fund ; to amend the 2011 Capital Improvements Budget; and to declare an emergency (\$312,500.00)

WHEREAS, the Ohio Environmental Protection Agency, Division of Surface Water, has issued a grant in accordance with the Section 319(h) Nonpoint Source Implementation Program, in connection with improving water quality in the Big Walnut Creek Watershed by restoring, enhancing and creating habitat for native fish, other aquatic species and wildlife, and facilitating a natural stream flow in the Big Walnut Creek area; and

WHEREAS, it is necessary to apply for and accept said grant, to appropriate and expend the funds; and

WHEREAS, the Director of Public Utilities is required to be authorized by Council to apply for and enter into the grant agreement; to accept the grant money; and appropriate the bond funds necessary for the required match; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds within the Water Build America Bonds Fund for the match required for the grant; and

WHEREAS, it is necessary to authorize an amendment to the 2011 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary

to authorize the Director of Public Utilities to apply for the grant and enter into the grant agreement in order to meet the application deadline and expedite the project contract so the terms and conditions of the grant agreement between the City of Columbus and the Ohio Environmental Protection Agency are accomplished; for the immediate 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 Director of Public Utilities, be and hereby is, authorized and directed to apply for and enter into a grant agreement with the Ohio Environmental Protection Agency for the Big Walnut Tributary Conservation Easement project through the Clean Water Act Section 319(h) Nonpoint Source Implementation Program; and to accept a grant in the amount of \$250,000.00 from the Ohio EPA Grant; and to expend \$62,500.00 from the Water Build America Bonds Fund for the match requirement for the Grant.

Section 2. That the Department of Public Utilities has committed to administer the grant through grant coordination, grant reporting, grant fund pay requests, and contract administration services.

Section 3. That from the unappropriated monies in the Ohio EPA Grant Fund, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2011, the sum of \$250,000.00 shall be appropriated to the Department of Public Utilities, **Department/Division 60-09**, as follows:

Fund Type: Grant | **Grant Title:** Big Walnut Tributary Conservation Easement Project | **Fund Name:** Water Grant Fund | **Fund No:** 620 | **Grant No:** to be assigned by City Auditor | **OCA Code:** to be assigned by City Auditor | **Object Level 3:** 6601 | **Amount:** \$250,000.00.

Section 4. That for the purpose of paying the cost of the aforementioned grant project contract, the expenditure of \$250,000.00 is hereby authorized within the **Department/Division 60-09** | **Fund Name:** Water Grant Fund | **Fund No:** 620 | **Grant Title:** Big Walnut Tributary Conservation Easement project | **Grant No:** to be assigned by City Auditor | **OCA Code:** to be assigned by City Auditor | **Object Level 3:** 6601 | **Amount:** \$250,000.00.

Section 5. That the City Auditor is hereby authorized to transfer \$62,500.00 within the Division of Power and Water, Dept/Div. No. 60-09, Water Build America Bonds Fund, Fund No. 609, Object Level One 06, Object Level Three 6601, as follows:

<u>Fund No.</u>	<u>Project No.</u>	<u>Project Name</u>	<u>OCA Code</u>	<u>change</u>
609	690359-100002 (carryover)	S. Wellfield Exp.-Pump House	693592	-\$62,500
609	690421-100000 (carryover)	Watershed Easements	609421	+\$62,500

Section 6. That the 2011 Capital Improvements Budget is hereby amended as follows:

<u>Fund No.</u>	<u>Project No.</u>	<u>Project Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>change</u>
609	690359-100002 (carryover)	S. Wellfield Exp.-Pump House	\$1,680,000	\$1,617,500	-\$62,500
609	690421-100000 (carryover)	Watershed Easements	\$0	\$62,500	+\$62,500

Section 7. That for the purpose of paying the costs associated with the required match for the grant project, the expenditure of \$62,500.00 is hereby authorized within the Division of Power and Water as follows: Dept No: 60-09 | Fund No: 609 | Water Build America Bonds Fund | Project No: 690421-100000 (carryover) | OCA Code: 609421 | Object Level 3: 6601 | Amount: \$62,500.00

Section 8. 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 are 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 9. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 10. 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 11. 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 approved nor vetoes the same.