



Legislation Text

File #: 0260-2010, **Version:** 1

BACKGROUND: The Department of Public Utilities recommends reimbursement to CSX Real Property for over-payment of stormwater charges. The overpayment was due to an adjustment to the property's measured impervious area. The impervious area charge is a fee based on the non-penetrable area (pavement and rooftops) from which water runoff enters into storm drains. CSX Real Property contacted the department in November 2009 asking for review and revision of the impervious area measurement. After review it was determined that Stormwater charges from 10/19/07 - 10/9/09 should be cancelled as a result of this adjustment in measured impervious area. The total amount of the adjustment is \$20,677.70. The account is inactive and the customer will not be receiving any additional billing. The total refund the customer is entitled to as of January 13, 2010 is \$20,677.70.

It is requested that this legislation be handled in an emergency manner in order to reimburse the customer at the earliest possible date.

Contract Compliance is not required as this refund is necessary to our customer to whom we have agreed to provide water and sewer services.

FISCAL IMPACT: There is no budgetary impact because we are returning a portion of funds the customer paid. Revenues are not significantly impacted by this legislation.

To authorize the Director of Public Utilities to reimburse CSX Real Property for over-payment of stormwater charges, to authorize a revenue reduction transaction of \$20,677.70; and to declare an emergency. (\$20,677.70)

WHEREAS, the Department of Public Utilities recommends reimbursement to CSX Real Property for over-payment of stormwater charges from 2007 to 2009, and

WHEREAS, the customer has a credit balance of \$20,677.70 due to an adjustment of these charges, 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 reimburse CSX Real Property for the overpayment of Stormwater charges, in an emergency manner in order to reimburse them at the earliest possible date, 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 is hereby authorized to reimburse CSX Real Property for the overpayment of stormwater charges from 2007 to 2009.

Section 2. That a revenue reduction transaction in the total amount of \$20,677.70 or as much thereof as may be needed is hereby authorized from:

Stormwater Operating Fund 675, Dept. 60-15, \$20,677.70

Section 3. 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.

