



## Legislation Text

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**File #:** 0191-2020, **Version:** 1

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### **1. BACKGROUND**

This legislation authorizes the Director of Public Service to enter into agreements with and make payment to the Five Rivers Metroparks for the purchase of wetland mitigation credits relative to the completion of the Arterial Street Rehabilitation - Hamilton Road - SR161 to Morse Road Phase A project.

The aforementioned project encompasses the reconstruction of portions of Hamilton and Morse roads and various other improvements. The construction of those improvements will impact the existing wetland ecosystem through the discharge of dredged or fill material into the waterway. The Department of Public Service is required to mitigate that impact through the purchase of wetland mitigation credits from the Five Rivers Metroparks pursuant to Sections 404 and 401 of the Clean Water Act and Ohio Revised Code Chapter 6111.

### **2. FISCAL IMPACT**

Funding in the amount of \$19,500.00 is available in the Streets and Highways Bond Fund within the Department of Public Service for the aforementioned expenditure.

### **3. EMERGENCY DESIGNATION**

Emergency action is requested to enable the Director of Public Service to effect any and all actions necessary to comply with the standards and conditions imposed by the Army Corps of Engineers and the Ohio Environmental Protection concerning the mitigation of wetland impacts as soon as reasonably practicable.

To authorize the Director of Public Service to enter into agreements with and make payment to the Five Rivers Metroparks for the purchase of wetland mitigation credits relative to the completion of the Arterial Street Rehabilitation - Hamilton Road - SR 161 to Morse Road Phase A project; to authorize the expenditure of up to \$19,500.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$19,500.00)

**WHEREAS**, the Department of Public Service is administering the Arterial Street Rehabilitation - Hamilton Road - SR161 to Morse Road Phase A project, which will culminate in the construction of various public infrastructure improvements on Hamilton and Morse roads, within City corporation limits; and

**WHEREAS**, the completion of the aforementioned project will impact the existing wetland ecosystem through the discharge of dredged or fill material into the waterway; and

**WHEREAS**, the Department of Public Service is required to purchase wetland mitigation credits from the Five Rivers Metroparks pursuant to Sections 404 and 401 of the Clean Water Act and Ohio Revised Code Chapter 6111 to support the restoration of wetlands in the State of Ohio; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director of Public Service to execute any and all actions necessary to comply with the standards and conditions imposed by the Army Corps of Engineers and the Ohio Environmental Protection concerning the mitigation of wetland impacts as soon as reasonably practicable, thereby preserving the public health, peace, property, safety and welfare; **now, therefore**,

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

**SECTION 1.** That the Director of Public Service be and hereby is authorized to enter into agreements with and to make payment to the Five Rivers Metroparks for the purchase of wetland mitigation credits relative to the completion of the Arterial Street Rehabilitation - Hamilton Road - SR161 to Morse Road Phase A project.

**SECTION 2.** That the expenditure of \$19,500.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 59-12 (Division of Design and Construction), Project P530103-100054 (Arterial Street Rehabilitation - Hamilton Road - SR161 to Morse Road Phase A), in Object Class 06 (Capital Outlay), per the accounting codes in the attachment to this ordinance.

**SECTION 3.** 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 4.** 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 5.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a 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.

**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.