



## Legislation Details (With Text)

**File #:** 0961-2020      **Version:** 1

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

**File created:** 4/9/2020      **In control:** Public Utilities Committee

**On agenda:** 6/29/2020      **Final action:** 7/2/2020

**Title:** To accept the Memorandum of Understanding executed between representatives of the City of Columbus and the Delaware County Regional Sewer District; to authorize the Director of Public Utilities to establish a purchase order to make payments to Delaware County for sewer services provided for Fiscal Year 2020; and to authorize the expenditure of \$800,000.00 from the Sewerage System Operating Fund. (\$800,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 0961-2020 Financial Coding - Delaware County Sewer Services - 2020, 2. ORD 0961-2020 Delaware County 50 Yr Agreement, 3. ORD 0961-2020 - MOU - Columbus-DELAWARE COUNTY RSD 2018.09

Date	Ver.	Action By	Action	Result
7/2/2020	1	CITY CLERK	Attest	
7/1/2020	1	MAYOR	Signed	
6/29/2020	1	COUNCIL PRESIDENT	Signed	
6/29/2020	1	Columbus City Council	Approved	Pass
6/15/2020	1	Columbus City Council	Read for the First Time	

This ordinance requests authority for the Director of Public Utilities to pay Delaware County for provisions of sewer services during Fiscal Year 2020, based on an agreement entered into by the City of Columbus and Delaware County in 1991 authorized by Ordinance No. 2424-91. This agreement authorizes discharge of sewage from Delaware County into the sewer system of the City of Columbus and from the City of Columbus system into the Delaware County sewer system in order to avoid duplication of wastewater treatment. A copy of the original agreement is attached to this legislation.

A Memorandum of Understanding (MOU) was prepared in collaboration between the City of Columbus Department of Public Utilities (DPU) and Delaware County Regional Sewer District (DCRSD) to document an agreement between these two parties which are the signatories of the MOU that was signed in 2018. This MOU addresses the following issues:

1. An agreement to discontinue using flume metering devices in specific areas located within Area #1 as described in the Agreement for Sanitary Sewer Service between Delaware County and the City of Columbus signed 11/12/1991 and modified 7/12/2012 (Agreement) starting on October 1, 2018. Flume metering devices shall also not be used for any future deduct metering areas less than sixty (60) ERU's.
2. The agreement to use 290 gpd/ERU (gallons per day per ERU) in lieu of using flow metering information for deduct billing purposes for the areas referenced in item 1 of the MOU.
3. Agreement to maintain the current practice of using flume flow meters for two specific areas discharging their sewage flows in the Area #1 Columbus sewers: It is believed by both parties that flow metering in these two areas results in more accurate readings due to their size.
4. DCRSD agreed to transfer the ownership of Polaris Discount Mart (Candlelight Lane) sewer CC-12296 to DPU at no cost on October 1, 2018, whereupon DPU would immediately assume all obligations to operate and maintain the sewer. DCRSD may remove flow metering appurtenances from the sewer as desired, subject to the

sewer remaining functional and in good working order.

5. DPU would start billing for sewage collection of the previously metered Polaris Discount Drug Mart area properties per applicable billing procedures starting on October 1, 2018.

The passage of this ordinance indicates City Council's acceptance of this Memorandum of Understanding, a copy of which is attached.

**SUPPLIER:** Delaware County (FID #31-6400065), (DAX #006181) Governmental Organization

**FISCAL IMPACT:** \$800,000.00 is needed for the services provided by Delaware County

\$2,084,506.08 was spent in 2019

\$1,801,576.28 was spent in 2018

To accept the Memorandum of Understanding executed between representatives of the City of Columbus and the Delaware County Regional Sewer District; to authorize the Director of Public Utilities to establish a purchase order to make payments to Delaware County for sewer services provided for Fiscal Year 2020; and to authorize the expenditure of \$800,000.00 from the Sewerage System Operating Fund. (\$800,000.00)

**WHEREAS**, Ordinance No. 2424-91 authorized an agreement between the City of Columbus and Delaware County based on a determination that it is in the best economic interests of both parties to avoid duplication of sanitary wastewater treatment, and

**WHEREAS**, representatives of the City of Columbus Department of Public Utilities (DPU) and the Delaware County Regional Sewer District (DCRSD) entered into a Memorandum of Understanding, a copy of which is attached hereto, to discontinue the usage of flume metering devices in specific areas and to continue the use within two specific areas all located within Area #1 of the Agreement; to agree on a gallons per day per ERU rate in lieu of using flow metering information for deduct billing purposes; and for the transfer from DCRSD to DPU of the ownership of Polaris Discount Mart (Candlelight Lane) sewer CC-12296 to DPU at no cost on October 1, 2018, whereupon DPU would immediately assume all obligations to operate and maintain the sewer, and would start billing for sewage collection of the previously metered Polaris Discount Drug Mart area properties per applicable billing procedures starting on October 1, 2018; and

**WHEREAS**, this agreement provides for payment by each party for services provided by the other party within certain service area boundaries, and

**WHEREAS**, funds are budgeted yearly by the Division of Sewerage and Drainage for these payments and this ordinance authorizes funds for the 2020 Fiscal Year, and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, to amend the Agreement between the City of Columbus and Delaware County Regional Sewer District by accepting the Memorandum of Understanding signed in 2018 by both parties; and to authorize the Director of Public Utilities to make payment for provisions of sewer services for Fiscal Year 2020 to Delaware County; now, therefore

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

**SECTION 1.** That the Memorandum of Understanding signed in 2018 amends the Agreement for Sanitary Sewer Service between Delaware County and the City of Columbus signed 11/12/1991 and modified 7/12/2012 (Agreement).

**SECTION 2.** That City Council, in the best interest of the City, hereby, recognizes and accepts the Memorandum of Understanding, a copy of which is attached hereto, executed between representatives of the City of Columbus and Delaware County Regional Sewer District.

**SECTION 3.** That the Director of Public Utilities is hereby authorized to make payment to Delaware County, 50 Channing Street, Delaware, Ohio 43015, for provisions of sewer services for Fiscal Year 2020, based on an agreement entered into by the City of Columbus and Delaware County in 1991 authorized by Ordinance No. 2424-91.

**SECTION 4.** That the expenditure of \$800,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6100 Sewerage System Operating Fund in object class 03 Services per the accounting codes in the attachment to the ordinance.

**SECTION 5.** 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 6.** 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 7.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.