



Legislation Text

File #: 1142-2008, **Version:** 1

Background: The following is an ordinance to authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend the monies for payment of acquisition costs in connection with the **Griggs Booster Station Project**.

Fiscal Impact This legislation includes a transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund as a temporary measure until such time as the proceeds from a bond sale can be made available. An amendment to the 2008 CIB is also necessary.

Emergency Justification: Emergency action is requested to allow acquisition activities to begin as soon as possible thereby allowing for commencement of construction of this project to proceed without delay.

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services; to authorize the appropriation and transfer of \$65,000.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize the expenditure of \$65,000.00 from the Water Works Enlargement Voted Bonds Fund; to authorize an amendment to the 2008 Capital Improvements Budget; for costs in connection with the **Griggs Booster Station Project**, and to declare an emergency. (\$65,000.00).

WHEREAS, the City of Columbus is engaged in the **Griggs Booster Station Project**; and

WHEREAS, it is necessary to authorize an amendment to the 2008 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the construction of the Project described in this Ordinance (collectively, the "Project").

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, in that it is immediately necessary to authorize the City Attorney to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the aforesaid professional services necessary in connection with said project, to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, for the 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 City Attorney be, and hereby is, authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the **Griggs Booster Station Project #690450**.

SECTION 2. That from the unappropriated monies in the Water System Reserve 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, 2008, the sum of \$65,000.00 is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

SECTION 3. That the City Auditor is hereby authorized and directed to transfer \$65,000.00, from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the appropriate project account as specified within Section 4 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

SECTION 4. That the expenditure of \$65,000.00 is hereby appropriated for the **Griggs Booster Station Project** within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690450, Object Level Three 6601, OCA Code 690450.

SECTION 5. That the 2008 Capital Improvements Budget is hereby amended as follows:

Project No. | Project Name | Current Authority | Revised Authority | (change)
690450-100000 | Griggs Booster Station | \$0 | \$65,000 | +\$65,000

SECTION 6. That upon obtaining other funds for the purpose of acquiring fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the **Griggs Booster Station Project**, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 3 above, and said funds are hereby deemed appropriated for such purpose.

SECTION 7. 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 8. That for the purpose of paying the cost of the contract, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division of Power and Water, Dept./Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Project 690450, OCA Code 690450, Object Level One 06, Object Level Three 6601, Amount \$65,000.00.

SECTION 9. That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$65,000.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse Water System Reserve Fund 603, which is the fund from which the advance for costs of the Project will be made.

SECTION 10. That for the reasons stated in the preamble hereto, 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 its passage if the Mayor neither approves nor vetoes the same.