File #: 0139-2017, **Version:** 1

1. BACKGROUND: The Department of Public Utilities, Division of Sewerage and Drainage intends to complete a storm sewer construction project in the Freeway Drive North Area, and has agreed to incorporate the replacement of an existing 96 inch storm sewer running through the YDT Sinclair Rd. LLC property, into its plans. This Ordinance will authorize the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement Agreement with YDT Sinclair Rd. LLC (YDT), for these improvements, known as the Freeway Drive North Storm Sewer Replacement Project No. 611029-100000, in the amount of $86,100.

Improvements will be made at City cost and then reimbursed by YDT Sinclair Rd. LLC

2. FISCAL IMPACT: YDT Sinclair Rd. LLC will provide reimbursement to the Department Public Utilities, Division of Sewerage and Drainage for 100% of the YDT share of the costs associated with the construction of the improvements described herein, up to a maximum amount of $86,100.00. Once the reimbursement is received the funds will be deposited into the Permanent Improvement Fund (Fund 6208).

..Title

To authorize the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement Agreement with YDT Sinclair Rd. LLC, for storm sewer replacement associated with the Division of Sewerage and Drainage's Freeway Drive North Project; and to authorize the deposit of up to $86,100.00 within the Storm Sewer Bonds Fund. ($86,100.00).

WHEREAS, the Director of Public Utilities needs to enter into a Guaranteed Maximum Reimbursement Agreement with YDT Sinclair Rd. LLC for storm sewer replacement costs associated with the Division of Sewerage and Drainage's Freeway Drive North Project; and

WHEREAS, YDT Sinclair Rd. LLC will pay a reimbursement amount for all storm sewer replacement costs relating to the project, up to a maximum amount of $86,100.00; and

WHEREAS, it is necessary to authorize the deposit of the proceeds from the YDT Sinclair Rd. LLC when said funds are presented to the Department of Public Utilities; and

WHEREAS, it has become necessary in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement Agreement with YDT Sinclair Rd. LLC. for storm sewer replacement costs associated with the Division of Sewerage and Drainage's Freeway Drive North Project; 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 Utilities is authorized to enter into a Guaranteed Maximum Reimbursement Agreement with YDT Sinclair Rd. LLC pursuant to Section 186 of the Columbus City Charter, for storm sewer replacement costs associated with the Division of Sewerage and Drainage's Freeway Drive North Project.

SECTION 2. That the City Auditor is hereby authorized to deposit the reimbursement amount from YDT Sinclair Rd. LLC into the Permanent Improvement Fund 6208.

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 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 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 5. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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.