



## Legislation Details (With Text)

**File #:** O-305-20      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 7/28/2020      **In control:** Economic Development Department  
**On agenda:** 8/25/2020      **Final action:** 8/25/2020  
**Title:** Approving the use of the Sanitary Sewer Infrastructure Development Fund (2% Fund) to pay for the additional cost associated with the installation of a sanitary sewer line within the City of Toledo right-of-way for the Marina District project; authorizing the mayor to enter into the necessary agreements; appropriating and expending an amount not to exceed \$32,011 from the unappropriated balance of the Sanitary Sewer Infrastructure Development Fund (2% Fund); and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/25/2020	1	City Council		
8/25/2020	1	City Council		
8/11/2020	1	City Council		

2% Funds for Marina District Sanitary Sewer Project  
Economic Development / Engineering Services  
B. Sehlhorst (x1692) / C. Soncrant (x2851)  
(Revised)

**Approving the use of the Sanitary Sewer Infrastructure Development Fund (2% Fund) to pay for the additional cost associated with the installation of a sanitary sewer line within the City of Toledo right-of-way for the Marina District project; authorizing the mayor to enter into the necessary agreements; appropriating and expending an amount not to exceed \$32,011 from the unappropriated balance of the Sanitary Sewer Infrastructure Development Fund (2% Fund); and declaring an emergency.**

**SUMMARY & BACKGROUND:**

Pursuant to Ordinance 530-17 passed by Toledo City Council on December 14, 2017, the Mayor entered into a Development Agreement with Continental Real Estate (“Developer”) for the \$55 million Marina District project in East Toledo. The Ordinance and development agreement authorized the expenditure of \$120,000 from the Sanitary Sewer Infrastructure Development Fund (2% Fund) to fund the construction of a new sanitary sewer on Morrison Drive. Now that the project is complete, it has been brought to the City’s attention that the final cost of the sanitary sewer project was \$32,011 more than what Ordinance 530-17 appropriated.

The City would like to reimburse the developer for the \$32,011 cost overage incurred from the sanitary sewer project. The reimbursement will come from the unappropriated balance of the Sanitary Sewer Infrastructure Development Fund (2% Fund).

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That this Council approves the use of the Sanitary Sewer Infrastructure Development Fund (2% Fund) to reimburse the developer for eligible costs incurred from the installation of a new sanitary sewer in the Morrison Drive right-of-way in an amount not to exceed \$32,011.

SECTION 2. That the Mayor is authorized to execute necessary agreements with Marina District, LLC and Marina Lofts Acquisitions, LLC upon such terms and conditions shall be approved by the Director of Public Utilities and the Director of Law.

SECTION 3. That an amount not to exceed \$32,011 is appropriated from the unappropriated balance of the Sanitary Sewer Infrastructure Development Fund (2% Fund) into Account Code 6075-31000-4UI2317STDSTD, and further authorizing the expenditure of same for the purposes identified in Section 1.

SECTION 4. That the Finance Director is authorized to issue her warrant or warrants against the account code listed in Section 2 in an amount not to exceed \$32,011 in payment of the above authorized obligations upon presentation of the proper voucher or vouchers.

SECTION 5. That this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage. The reason for the emergency lies in the fact that this Ordinance is necessary for the immediate preservation of the public peace, health, safety, and property, and for the further reason that this Ordinance must be immediately effective in order to install the sewer line pursuant to the development agreement.

Vote on emergency clause: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Passed: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

\_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council