



Legislation Details (With Text)

**File #:** O-012-23      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Approved

**File created:** 12/20/2022      **In control:** Public Utilities Department

**On agenda:** 1/10/2023      **Final action:** 1/10/2023

**Title:** Authorizing the appropriation and expenditure of \$3,900,000 from the unappropriated balance of the 2018 Water Bond Improvement Fund for the purchase of approximately 135+/- acres of property located at and known as 650 N. Wynn Road, 5201 Corduroy Road, and 5550 Corduroy Road (Lucas County TD Parcels 44-13419, 44-13237, and 44-13177), respectively, together with various costs and services related thereto, including but not limited to the purchase of real property interests, surveys, testing, title work, appraisals, closing costs, relocation costs, environmental assessments, and other incidental fees and expenses, if applicable, for the eventual creation of an alternate water source as mandated by the Environmental Protection Agency; authorizing the mayor to accept bids for services and execute agreements as necessary and appropriate associated with the purchase of said property herein; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A

Date	Ver.	Action By	Action	Result
1/10/2023	1	City Council	Suspension	Pass
1/10/2023	1	City Council	Emergency	Pass
1/10/2023	1	City Council	Passage	Pass

DPU011023ALTWATERSOURCEPROPACQ  
 Utilities Administration for Water Treatment  
 Jamie Miller (x1409)  
 Revised

**Authorizing the appropriation and expenditure of \$3,900,000 from the unappropriated balance of the 2018 Water Bond Improvement Fund for the purchase of approximately 135+/- acres of property located at and known as 650 N. Wynn Road, 5201 Corduroy Road, and 5550 Corduroy Road (Lucas County TD Parcels 44-13419, 44-13237, and 44-13177), respectively, together with various costs and services related thereto, including but not limited to the purchase of real property interests, surveys, testing, title work, appraisals, closing costs, relocation costs, environmental assessments, and other incidental fees and expenses, if applicable, for the eventual creation of an alternate water source as mandated by the Environmental Protection Agency; authorizing the mayor to accept bids for services and execute agreements as necessary and appropriate associated with the purchase of said property herein; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

The Ohio EPA has ordered multiple projects to be undertaken to mitigate and improve the City of Toledo’s ability to continually provide safe drinking water to its customers, including but not limited to constructing a water reservoir of approximately 200 million gallons to provide an alternate and redundant water supply. The

properties located at 650 N. Wynn Road, 5201 Corduroy Road, and 5550 Corduroy Road (Lucas County TD Parcels 44-13419, 44-13237, and 44-13177) collectively contain approximately 135+/- acres of land, which is sufficient to construct a reservoir of the size and capacity required. The current owner has expressed a desire to sell the property to the City of Toledo. The acquisition of the property will ensure the City's ability to construct the required reservoir as required by OEPA, and will further ensure the City's ability to provide a continuous supply of top-quality drinking water to the City of Toledo's water customers and the citizens of our region for the foreseeable future.

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

SECTION 1. That an amount not to exceed \$3,900,000 is appropriated from the unappropriated balance of the Water Bond Improvement Fund to Account Code 6062-32000-4UB3116STDSTD for the purchase of real property interests and associated costs; and further authorizing the expenditure of same.

SECTION 2. That the Mayor is authorized to execute necessary contracts or agreements for the purchase of approximately 135+/- acres of property located at and known as 650 N. Wynn Road, 5201 Corduroy Road, and 5550 Corduroy Road (Lucas County TD Parcels 44-13419, 44-13237, and 44-13177), respectively, being further described and depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 3. That the Mayor is further authorized to accept bids and execute contracts or agreements for various services related to the purchase of said property, including, but not limited to surveys, testing, title work, closing costs, environmental assessments, and other incidental fees and expenses associated with and required for the acquisition of the property set forth in Section 2 and more fully described in Exhibit A herein, upon such terms and conditions as shall be approved by the Director of Public Utilities and the Director of Law.

SECTION 4. That the Finance Director is authorized to draw warrants against the above stated account code in payment of the above-authorized obligations in an amount not to exceed \$3,900,000 upon presentation of proper voucher or vouchers.

SECTION 5. That it is found and determined that all formal actions of City Council concerning and relating to the passage of this ordinance were adopted in an open meeting of City Council and that all deliberations of City Council and any of its committees that result in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 6. That the disappropriation of any unused funds are authorized to be returned to fund balance at the completion of this project.

SECTION 7. That this Ordinance is declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. The reason for the emergency lies in the fact that the same 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 acquire the property necessary to comply with OEPA requirements and provide a continuous supply of top-quality drinking water to the City of Toledo's water customers and the citizens of our region.

Vote on emergency clause: yeas 12, nays 0.

Passed: January 10, 2023 as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

January 10, 2023  
Wade Kapszukiewicz  
Mayor