



Legislation Details (With Text)

File #: O-545-23 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 9/20/2023 **In control:** Public Utilities Department
On agenda: 10/10/2023 **Final action:** 10/10/2023

Title: Authorizing the mayor to apply for and enter into loan agreements with the Ohio Water Development Authority (OWDA), and to accept, deposit, appropriate, and expend loan proceeds in an amount not to exceed \$15,000,000 into the Water Replacement Loan Fund for the Raw Water Main Project; appropriating \$50,000 from the Water Replacement Fund for the payment of loan administrative fees and miscellaneous project costs; authorizing various adjustments and transfers of expenses to comply with the loan agreements; authorizing a dedicated source for repayment of said loans; authorizing the mayor to accept bids and execute necessary agreements related to the project; making certain findings with respect thereto; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Video: Agenda Review 10/3/2023

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

DPU101023RAWWATERMAIN
Division of Water Treatment
J. Goetz (x2399)
Revised

Authorizing the mayor to apply for and enter into loan agreements with the Ohio Water Development Authority (OWDA), and to accept, deposit, appropriate, and expend loan proceeds in an amount not to exceed \$15,000,000 into the Water Replacement Loan Fund for the Raw Water Main Project; appropriating \$50,000 from the Water Replacement Fund for the payment of loan administrative fees and miscellaneous project costs; authorizing various adjustments and transfers of expenses to comply with the loan agreements; authorizing a dedicated source for repayment of said loans; authorizing the mayor to accept bids and execute necessary agreements related to the project; making certain findings with respect thereto; and declaring an emergency.

SUMMARY & BACKGROUND:

The Raw Water Main Project design is for the purpose of developing detailed design and bidding documents for the replacement of the 1940 circa 78” steel Raw Water Main that has been identified to be near the end of its useful life. The replacement raw water main is expected to provide service for 100 years or more. To finance the design of the project, the Division of Water Treatment desires to secure funding from the OWDA Fresh Water Loan Program. Prior to loan approval, the OWDA requires an ordinance be passed authorizing the loan application, acceptance, and the execution of agreement as well as designating a dedicated repayment source for the loan funds.

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

SECTION 1. That the mayor is authorized to apply for and enter into agreements with the Ohio Water Development Authority and to accept and deposit loan proceeds of an amount not to exceed \$15,000,000 into the Water Replacement Fund, Account Code 663L-32000-4UL5623TDSTD, for the Raw Water Main Project.

SECTION 2. That an amount not to exceed \$15,000,000 is appropriated from the unappropriated loan proceeds in the Water Replacement Fund into Account Code 663L-32000-4UL5623STDSTD; and further authorizing the expenditure of same for the Raw Water Main Project.

SECTION 3. That an amount not to exceed \$50,000 is appropriated from the unappropriated balance of the Water Replacement Fund into Account Code 6063-32000-4UC5623STDSTD; and further authorizing the expenditure of same for payment of loan application fees and miscellaneous project costs.

SECTION 4. That various adjustments and line item expenditure transfers are authorized to comply with said loan agreements.

SECTION 5. That Council finds, determines, and authorizes the dedicated source of repayment for said loans with the OWDA shall be the unappropriated balance of the Water Replacement Loan Fund provided that the OWDA project loans shall be and are subordinate to any and all city water revenue bond obligations.

SECTION 6. That the mayor is authorized to accept bids, and execute all necessary agreements for this project.

SECTION 7. That the Finance Director is authorized to issue their warrant or warrants in amounts not to exceed those authorized in Sections 1, 2 and 3 against the above mentioned account codes in payment of the obligations incurred pursuant to the agreements authorized in Section 6 above upon presentation of the proper voucher or vouchers.

SECTION 8. That the disappropriation of any remaining budget to fund balance at project closeout is authorized.

SECTION 9. That this Ordinance is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that 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 ensure the uninterrupted distribution of quality potable drinking water to the citizens of the entire region.

Vote on emergency clause: yeas 11, nays 0.

Passed: October 10, 2023, as an emergency measure: yeas 11, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

October 10, 2023
Wade Kapszukiewicz

Mayor