



Legislation Details (With Text)

File #: O-067-19 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 1/22/2019 **In control:** Public Utilities Department
On agenda: 2/5/2019 **Final action:** 2/5/2019

Title: Authorizing the mayor to enter into agreements with and accept and deposit financial assistance from the State of Ohio, Ohio Public Works Commission (OPWC) in an amount not to exceed \$2,581,970 for six roadway projects; authorizing the appropriation and expenditure of said grant and loan proceeds on the subject projects; authorizing a dedicated source for repayment of said loans; authorizing the mayor to execute all necessary documentation for said grants and loans and to execute the necessary documentation for all contracts related to construction, professional services, contingencies, capitalized interest, testing, and permit fees; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: Agenda Review 1/29/2019

| Date | Ver. | Action By | Action | Result |
|----------|------|--------------|---|--------|
| 2/5/2019 | 1 | City Council | Dispense with the rules of Council requiring... | Pass |
| 2/5/2019 | 1 | City Council | declare emergency | Pass |
| 2/5/2019 | 1 | City Council | passage | Pass |

DPU020519OPWCCGrantsandLoans
 Engineering Services
 Tim Grosjean (x1344)
 Revised

Authorizing the mayor to enter into agreements with and accept and deposit financial assistance from the State of Ohio, Ohio Public Works Commission (OPWC) in an amount not to exceed \$2,581,970 for six roadway projects; authorizing the appropriation and expenditure of said grant and loan proceeds on the subject projects; authorizing a dedicated source for repayment of said loans; authorizing the mayor to execute all necessary documentation for said grants and loans and to execute the necessary documentation for all contracts related to construction, professional services, contingencies, capitalized interest, testing, and permit fees; and declaring an emergency.

SUMMARY & BACKGROUND:

This ordinance authorizes the mayor to accept, deposit, appropriate and expend up to \$2,581,970 in grant and loan funds from the Ohio Public Works Commission (OPWC). It further authorizes the mayor to enter into agreements for the referenced grants and loans and to conduct the appropriate budget adjustments and transfers of expense associated with said grants and loans. It further dedicates a source of funds for repayment of the loans.

Resolutions #430-17 and #418-18 authorized applying for this assistance and entering into an agreement with

OPWC for this purpose. Sections 1 and 3 of this ordinance details each project’s grant and/or loan amount and account code.

Each of these projects requires match money which is either in place or will be in place through other city or outside funding sources.

Passage of this ordinance is required to enable the City of Toledo to accept OPWC funding and to proceed with the construction of these projects.

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

SECTION 1. That the mayor is authorized to accept and deposit grant proceeds in an amount not to exceed \$1,708,485 and to enter into grant agreements with the Ohio Public Works Commission for multiple projects, as follows:

| Project | | Account Code | Amount |
|--------------------------------------|-------|--------------------------|--------------------|
| Bancroft – Holland-Sylvania to I-475 | Grant | 540G-35000-8GA7009STDSTD | \$137,429 |
| Lagrange – Utica to Oakland | Grant | 540G-35000-8GA7019STDSTD | \$88,299 |
| York – Front to City Limits | Grant | 540G-35000-8GA7029STDSTD | \$178,209 |
| Central – Brigham to Buckeye | Grant | 540G-35000-8GA7039STDSTD | \$139,417 |
| Douglas – Alexis to Laskey | Grant | 540G-35000-8GA7049STDSTD | \$835,000 |
| Alexis – City Limits to Jackman | Grant | 540G-35000-8GA7059STDSTD | \$330,131 |
| | | TOTAL | \$1,708,485 |

SECTION 2. That the sum of up to \$1,708,485 is appropriated from the unappropriated grant proceeds in the Capital Improvement Fund into various account codes as listed in Section 1 and the expenditure is authorized in amounts not to exceed the amounts in Section 1 for roadway projects.

SECTION 3. That the mayor is authorized to accept and deposit loan proceeds in an amount not to exceed \$873,485 and to enter into project agreements with the Ohio Public Works Commission for multiple projects, as follows:

| Project | | Account Code | Amount |
|--------------------------------------|------|--------------------------|------------------|
| Bancroft – Holland-Sylvania to I-475 | Loan | 540L-35000-8LA7009STDSTD | \$137,429 |
| Lagrange – Utica to Oakland | Loan | 540L-35000-8LA7019STDSTD | \$88,299 |
| York – Front to City Limits | Loan | 540L-35000-8LA7029STDSTD | \$178,209 |
| Central – Brigham to Buckeye | Loan | 540L-35000-8LA7039STDSTD | \$139,417 |
| Alexis – City Limits to Jackman | Loan | 540L-35000-8LA7059STDSTD | \$330,131 |
| | | TOTAL | \$873,485 |

SECTION 4. That the sum of up to \$873,485 is appropriated from the unappropriated loan proceeds in the Capital Improvement Fund into various account codes as listed in Section 3 and the expenditure is authorized in amounts not to exceed the amounts in Section 3 for roadway projects.

SECTION 5. That the dedicated source of repayment for said loan(s) shall be the unappropriated balance of the Capital Improvement Fund, provided, however, that any loans for these projects shall be subordinate to all of the city’s revenue bonds within the same fund.

SECTION 6. That the mayor and Director of Public Utilities are authorized to prepare plans and specifications, as well as authorized to accept bids and execute necessary contracts including such items as labor, materials, construction testing, professional services, property appraisals, title work, negotiations, acquisition, and environmental contamination studies that are necessary to acquire additional rights-of-way. Said contracts shall contain such terms and conditions as the mayor may deem requisite and proper and shall be subject to approval by the Department of Law.

SECTION 7. That the Finance Director is authorized to draw his warrant or warrants against the account codes identified in Sections 1 and 3, in amounts authorized in Sections 1 & 3 in payment of the obligations incurred pursuant to the contracts authorized in Section 6 above upon presentation of the proper voucher or vouchers.

SECTION 8. That various adjustments and line item expenditures and transfers are authorized to comply with said grant and loan agreements.

SECTION 9. That the disappropriation of any remaining budget to fund balance is authorized at project closeout.

SECTION 10. 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 facilitate the planning and construction of these projects.

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