



Legislation Details (With Text)

**File #:** O-374-19      **Version:** 1      **Name:**

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

**File created:** 7/23/2019      **In control:** Public Utilities Department

**On agenda:** 8/6/2019      **Final action:** 8/6/2019

**Title:** Authorizing the mayor to enter into grant agreements with the Ohio Public Works Commission (OPWC) for the Large Diameter Sewer Rehabilitation Project and to accept and deposit grant proceeds into the Sewer Replacement Fund; authorizing the appropriation and expenditure of the unappropriated grant proceeds from the Sewer Replacement Fund in an amount not to exceed \$850,000; authorizing the mayor to enter into loan agreements with OPWC for said project and to accept and deposit loan proceeds into the Sewer Replacement Fund; authorizing the appropriation and expenditure of the unappropriated loan proceeds from the Sewer Replacement Fund in an amount not to exceed \$850,000; authorizing the appropriation and expenditure of \$1,500,000 from the Sewer Replacement Fund; authorizing various adjustments and transfers of expense to comply with the grant and loan agreements; authorizing a dedicated source for repayment of said loans; authorizing the mayor to prepare plans and specifications, acquire rights-of-way and easements as necessary, accept bids and enter into contracts; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Audio: Agenda Review 7/30/2019, 2. Audio: City Council 8/6/2019

Date	Ver.	Action By	Action	Result
8/6/2019	1	City Council	Dispense with the rules of Council requiring...	Pass
8/6/2019	1	City Council	declare emergency	Pass
8/6/2019	1	City Council	passage	Pass

**DPU080619LARGEDIAMETERSEWERREHABILITATION**

Division of Engineering Services

Christy Soncrant (x2851)

Revised

**Authorizing the mayor to enter into grant agreements with the Ohio Public Works Commission (OPWC) for the Large Diameter Sewer Rehabilitation Project and to accept and deposit grant proceeds into the Sewer Replacement Fund; authorizing the appropriation and expenditure of the unappropriated grant proceeds from the Sewer Replacement Fund in an amount not to exceed \$850,000; authorizing the mayor to enter into loan agreements with OPWC for said project and to accept and deposit loan proceeds into the Sewer Replacement Fund; authorizing the appropriation and expenditure of the unappropriated loan proceeds from the Sewer Replacement Fund in an amount not to exceed \$850,000; authorizing the appropriation and expenditure of \$1,500,000 from the Sewer Replacement Fund; authorizing various adjustments and transfers of expense to comply with the grant and loan agreements; authorizing a dedicated source for repayment of said loans; authorizing the mayor to prepare plans and specifications, acquire rights-of-way and easements as necessary, accept bids and enter into contracts; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

Ordinance 351-17 authorized the mayor to enter into contracts for the inspection and design of the remediation to the sewer system. Resolution 418-18 authorized the mayor to apply for grant and loan funds from OPWC for the Large Diameter Sewer Rehabilitation project. This ordinance authorizes the mayor to enter into agreements, accept, and deposit up to an \$850,000 grant and an \$850,000

loan from OPWC, appropriates \$1,500,000 from the Sewer Replacement Fund to pay the local share of the project, and authorizes the mayor to accept bids and enter into contracts for the project. The project will replace or repair structural problems in critical sections of the aging sewer system.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$850,000 grant; \$850,000 loan; and \$1,500,000 sewer replacement fund
- The expenditure budget line item: 673G-35000-4UG1519STDSTD; 673L-35000-4UL1519STDSTD, 6073-35000-4UC1519STDSTD
- New revenue generated (operational revenue, grants, if any): \$850,000 grant; \$850,000 loan
- Revenue budget line item (if any): 673G-35000-4UG1519STDSTD; 673L-35000-4UL1519STDSTD
- Are funds budgeted in the current fiscal year (yes/no)? Yes, upon passage. This was included in the DPU CIP plan
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? new
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) no
  - o Environment (yes/no) yes

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

SECTION 1. That the mayor is authorized to enter into grant agreements with the Ohio Public Works Commission (OPWC) for the Large Diameter Sewer Replacement Project and to accept and deposit grant proceeds in an amount not to exceed \$850,000 into the Sewer Replacement Fund, Account Code 673G-35000-4UG1519STDSTD (Large Diameter Sewer Replacement Project).

SECTION 2. That an amount not to exceed \$850,000 is appropriated from the unappropriated grant proceeds into the Sewer Replacement Fund into Account Code 673G-35000-4UG1519STDSTD (Large Diameter Sewer Rehabilitation Project); and further authorizing the expenditure of the same.

SECTION 3. That the mayor is authorized to enter into loan agreements with the Ohio Public Works Commission (OPWC) for the Large Diameter Sewer Replacement Project and to accept and deposit loan proceeds in an amount not to exceed \$850,000 into the Sewer Replacement Fund, Account Code 673L-35000-4UL1519STDSTD (Large Diameter Sewer Replacement Project).

SECTION 4. That an amount not to exceed \$850,000 is appropriated from the unappropriated loan proceeds into the Sewer Replacement Fund into Account Code 673L-35000-4UL1519STDSTD (Large Diameter Sewer Rehabilitation Project); and further authorizing the expenditure of the same.

SECTION 5. That various adjustments and line item expenditures and transfers are authorized to comply with said grant and loan agreements.

SECTION 6. That the dedicated source of repayment for said loans shall be the unappropriated balance of the Sewer Replacement Fund provided, however, that any loans for this project shall be subordinate to all of the city's sanitary sewer revenue bonds.

SECTION 7. That an amount not to exceed \$1,500,000 is appropriated from the unappropriated balance of the Sewer Replacement Fund into account code 6073-35000-4UC1519STDSTD for the Large Diameter Sewer Rehabilitation project; and the expenditure of the same is authorized.

SECTION 8. That the mayor is authorized to accept bids and enter into contracts in an amount not to exceed \$3,200,000 for said project including such items as labor, materials, real estate incidentals, purchase of rights-of-way and easements, permits, professional services, and other miscellaneous project expenses needed to undertake said project. Contracts shall contain such terms and conditions as the mayor may deem requisite and proper, and shall be subject to approval by the Director of Law and the Director of Public Utilities.

SECTION 9. That the Director of Finance is authorized to issue his warrant or warrants against the account codes above in an amount not to exceed \$3,200,000 in payment of the above authorized obligations upon presentation of the proper voucher or vouchers.

SECTION 10. That the disappropriation of any remaining budget to fund balance is authorized at project closeout.

SECTION 11. 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 permit the earliest possible construction of the Large Diameter Sewer Rehabilitation Project.

Vote on emergency clause: yeas 12, nays 0.

Passed: August 6, 2019, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

August 6, 2019  
Wade Kapszukiewicz  
Mayor