



Legislation Details (With Text)

File #: O-432-23 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 7/31/2023 **In control:** Public Utilities Department
On agenda: 8/15/2023 **Final action:** 8/15/2023

Title: Authorizing the mayor to apply for, enter into agreements, accept and deposit loan proceeds from the Ohio EPA Water Pollution Control Loan Fund (WPCLF) and/or the Ohio Water Development Authority (OWDA) into the Sanitary Sewer Replacement Fund for Improvement No. 65, Chlorination Project; authorizing the appropriation and expenditure of the loan proceeds from the Sanitary Sewer Replacement Loan Fund in an amount not to exceed \$16,500,000; authorizing the appropriation and expenditure of \$75,000 from the Sanitary Sewer Replacement Fund for the payment of loan administration fees and miscellaneous costs; authorizing a dedicated source for repayment of said loan; authorizing the mayor to accept bids and execute necessary agreements and contracts related to the project; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
8/15/2023	1	City Council	Suspension	Pass
8/15/2023	1	City Council	Emergency	Pass
8/15/2023	1	City Council	Passage	Pass

DPU081523I-65CHLORINATIONPROJECT

Water Reclamation

Mike Schreidah (x2607)

Revised

Authorizing the mayor to apply for, enter into agreements, accept and deposit loan proceeds from the Ohio EPA Water Pollution Control Loan Fund (WPCLF) and/or the Ohio Water Development Authority (OWDA) into the Sanitary Sewer Replacement Fund for Improvement No. 65, Chlorination Project; authorizing the appropriation and expenditure of the loan proceeds from the Sanitary Sewer Replacement Loan Fund in an amount not to exceed \$16,500,000; authorizing the appropriation and expenditure of \$75,000 from the Sanitary Sewer Replacement Fund for the payment of loan administration fees and miscellaneous costs; authorizing a dedicated source for repayment of said loan; authorizing the mayor to accept bids and execute necessary agreements and contracts related to the project; and declaring an emergency.

SUMMARY & BACKGROUND:

The Division of Water Reclamation (Division) contracted with Jones & Henry Engineers to design and manage the construction of the Improvement No. 65, Chlorination Project at the Bay View Water Reclamation Plant. Jones & Henry Engineers through coordination with Division staff has completed the design phase and is in the process of bidding the construction phase of the Improvement No. 65, Chlorination Project. Following the receipt of construction proposals and the selection of a construction contractor, the Division will be seeking a

loan from the Ohio EPA Water Pollution Control Loan Fund (WPCLF) and/or the Ohio Water Development Authority (OWDA) in October 2023. Loan proceeds in an amount not to exceed \$16,500,000 will allow the Division to fund all past and future expenses related to design, construction, construction management, inspection, testing, permitting, training and commissioning.

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

SECTION 1. That the Mayor is authorized to apply for, enter into agreements and accept a loan from the Ohio EPA Water Pollution Control Loan Fund (WPCLF) and/or the Ohio Water Development Authority (OWDA) and to deposit loan proceeds in an amount not to exceed \$16,500,000 into the Sanitary Sewer Replacement Loan Fund, Account Code 673L-36000-4UL5123STDSTD, for the Improvement No.65, Chlorination Project.

SECTION 2. That an amount not to exceed \$16,500,000 is appropriated from the unappropriated loan proceeds in the Sanitary Sewer Replacement Loan Fund into Account Code 673L-36000-4UL5123STDSTD; and further authorizing the expenditure of the same amount for the Improvement No. 65, Chlorination Project.

SECTION 3. That an amount not to exceed \$75,000 is appropriated from the unappropriated balance of the Sanitary Sewer Replacement Fund, Account Code 6073-36000-4UC5123STDSTD (Improvement No. 65, Chlorination Project), for payment of loan administration fees and miscellaneous costs; and authorizing the expenditure of the same.

SECTION 4. That the disappropriation of any remaining budget to fund balance is authorized at project closeout.

SECTION 5. That the dedicated source of repayment for said loan shall be the unappropriated balance of the Sanitary Sewer Replacement Fund provided, however, that any loan for this project shall be subordinate to all of the City's sanitary sewer revenue bonds.

SECTION 6. That the Mayor is authorized to accept bids and execute necessary agreements and contracts for the Improvement No.65, Chlorination Project upon such terms and conditions as shall be approved by the Director of Public Utilities and the Director of Law.

SECTION 7. That the Director of Finance is authorized to issue their warrant or warrants against the Account Codes identified in Sections 2 and 3 above in amounts not to exceed \$16,575,000 in payment of the obligations incurred pursuant to the agreements authorized in Section 1 above, upon presentation of the proper voucher or vouchers.

SECTION 8. 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 maintain the operational integrity of the Water Reclamation Plant, and to maintain compliance with the NPDES discharge permit requirements, as set forth by the Ohio EPA.

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