



Legislation Details (With Text)

**File #:** O-014-22      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 12/20/2021      **In control:** Public Utilities Department  
**On agenda:** 1/18/2022      **Final action:** 1/18/2022

**Title:** Authorizing the mayor to enter into agreements with and accept financial assistance from the State of Ohio, Ohio Public Works Commission (OPWC) in an amount not to exceed \$3,444,320 for five 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 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 January 11, 2022, 2. Audio: City Council January 18, 2022

Date	Ver.	Action By	Action	Result
1/18/2022	1	City Council	Suspension	Pass
1/18/2022	1	City Council	Emergency	Pass
1/18/2022	1	City Council	Passage	Pass

DPU011822OPWCGRANTSANDLOANS

Engineering Services

T. Grosjean (x1344)

Revised

**Authorizing the mayor to enter into agreements with and accept financial assistance from the State of Ohio, Ohio Public Works Commission (OPWC) in an amount not to exceed \$3,444,320 for five 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 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 an amount not to exceed \$3,444,320 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 #324-20 and #499-21 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 enter into grant agreements with the Ohio Public Works Commission and to accept and deposit grant proceeds in an amount not to exceed \$1,981,588 for the following projects:

Project		Account Code	Amount
Lewis Avenue - Laskey to Alexis	Grant	540G-35000-8GA2350STDSTD	\$ 518,856
Jackman Road - Alexis to Brim	Grant	540G-35000-8GA2351STDSTD	\$ 114,920
Starr Avenue - East Broadway to Belt	Grant	540G-35000-8GA2352STDSTD	\$ 127,956
Upton Avenue - Monroe to Central	Grant	540G-35000-8GA2353STDSTD	\$ 827,281
Summit/Cherry Intersection	Grant	540G-35000-8GA2354STDSTD	\$ 392,575
		<b>TOTAL</b>	<b>\$ 1,981,588</b>

SECTION 2. That an amount not to exceed \$1,981,588 is appropriated from the unappropriated grant proceeds in the Capital Improvement Grant Fund into various account codes as listed in Section 1, and the expenditure of same is authorized.

SECTION 3. That the mayor is authorized to enter into loan agreements with the Ohio Public Works Commission and to accept and deposit loan proceeds in an amount not to exceed \$1,462,732 for the following projects:

Project		Account Code	Amount
Jackman Rd. - Alexis to Brim	Loan	540L-35000-8LA2351STDSTD	\$ 114,920
Starr Avenue - Starr to Belt	Loan	540L-35000-8LA2352STDSTD	\$ 127,956
Upton Avenue - Monroe to Central	Loan	540L-35000-8LA2353STDSTD	\$ 827,281
Summit/Cherry Intersection	Loan	540L-35000-8LA2354STDSTD	\$ 392,575
		<b>TOTAL</b>	<b>\$ 1,462,732</b>

SECTION 4. That an amount not to exceed \$1,462,732 is appropriated from the unappropriated loan proceeds in the Capital Improvement Loan Fund into various account codes as listed in Section 3, and the expenditure of same is authorized.

SECTION 5. That the dedicated source of repayment for said loans shall be the unappropriated balance of the Capital Improvement Program 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 is authorized to prepare plans and specifications, accept bids and enter into contracts necessary to complete said projects 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 Director of Public Service may deem requisite and proper and shall be subject to approval by the Director of Law.

SECTION 7. That the Finance Director is authorized to draw warrant or warrants against the account codes identified in Sections 1 and 3 above, in amounts authorized in Sections 1 and 3 above and make necessary expenditures 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 Director of Finance is authorized to make adjustments, transfers and various line item expenditures, as needed to reconcile the final costs of each project authorized in Sections 1 and 3, as well as 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 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 facilitate the planning and construction of these projects.

Vote on emergency clause: yeas 9, nays 0.

Passed: January 18, 2022, as an emergency measure: yeas 9, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

January 24, 2022  
Wade Kapszukiewicz  
Mayor