



## Legislation Text

File #: O-023-21, Version: 1

DPU011921OPWCGRANTSANDLOANS

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 \$3,070,400 for a roadway project on the Anthony Wayne Trail; authorizing the appropriation and expenditure of said grant and loan proceeds into the Capital Improvement Fund for the subject project; authorizing a dedicated source for repayment of said loan; authorizing the mayor to execute all necessary documentation for said grant and loan 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 \$3,070,400 in grant and loan proceeds from the Ohio Public Works Commission (OPWC). It further authorizes the mayor to enter into agreements for the referenced grant and loan and to conduct the appropriate budget adjustments and transfers of expense associated with said grant and loan. It further dedicates a source of funds for repayment of the loan.

Resolution #497-19 authorized applying for this assistance and entering into an agreement with OPWC for this purpose. The project 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 this project.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$3,070,400
- The expenditure budget line item: 540G-35000-8GA7502STDSTD, 540L-35000-8LA7502STDSTD
- New revenue generated (operational revenue, grants, if any): \$3,070,400
- Revenue budget line item (if any): 540G-35000-8GA7502STDSTD, 540L-35000-8LA7502STDSTD
- Are funds budgeted in the current fiscal year (yes/no)?: no
- 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) no
  - o Quality Community Investment (Livable City, Development) (yes/no) yes

- Workplace Culture & Customer Service (yes/no) no
- Environment (yes/no) no

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

SECTION 1. That the mayor is authorized to enter into a grant agreement with the Ohio Public Works Commission for the Anthony Wayne Trail - Glendale to City Limits project and to accept and deposit grant proceeds into the Capital Improvement Fund Account Code 540G-35000-8GA7502STDSTD in an amount not to exceed \$1,535,200.

SECTION 2. That the appropriation of the unappropriated grant proceeds is authorized from the Capital Improvement Fund, Account Code 540G-35000-8GA7502STDSTD, in an amount not to exceed \$1,535,200 for the Anthony Wayne Trail - Glendale to City Limits Project and the expenditure of same is authorized.

SECTION 3. That the mayor is authorized to enter into a loan agreement with the Ohio Public Works Commission for the Anthony Wayne Trail - Glendale to City Limits project and to accept and deposit loan proceeds into the Capital Improvement Fund Account Code 540L-35000-8LA7502STDSTD in an amount not to exceed \$1,535,200.

SECTION 4. That the appropriation of the unappropriated loan proceeds is authorized from the Capital Improvement Fund, Account Code 540L-35000-8LA7502STDSTD, in an amount not to exceed \$1,535,200 for the Anthony Wayne Trail - Glendale to City Limits Project and the expenditure of same is authorized.

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 is 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 Director of Public Utilities and the Director of Law.

SECTION 7. That the Finance Director is authorized to draw warrant or warrants against the Account Codes identified above, in amounts authorized in Sections 2 and 4 in payment of the obligations incurred pursuant to the contracts authorized in Section 6 upon presentation of the proper voucher or vouchers.

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

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 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