



## Legislation Details (With Text)

**File #:** O-337-18      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 8/17/2018      **In control:** Public Utilities Department  
**On agenda:** 8/28/2018      **Final action:** 8/28/2018  
**Title:** Authorizing the mayor to enter into agreements, accept and deposit loan proceeds in an amount not to exceed \$2,560,810 from the Ohio EPA Water Pollution Control Loan Fund (WPCLF) into the Sanitary Sewer Replacement Loan Fund for the International Park Storage Basin Project; authorizing the appropriation and expenditure of \$2,560,810 from the Sanitary Sewer Replacement Fund; authorizing the appropriation and expenditure of \$20,000 from the Sanitary Sewer Replacement Fund for the payment of loan administration fees and miscellaneous project costs; authorizing various adjustments and transfers of expense to comply with the loan agreement; authorizing a dedicated source for repayment of said loan; authorizing the mayor to accept bids and enter into contracts; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/28/2018	1	City Council		
8/28/2018	1	City Council		
8/28/2018	1	City Council		

DPU082818InternationalParkStorageBasin

Toledo Waterways Initiative

Julie Cousino (x3671)

(Revised)

**Authorizing the mayor to enter into agreements, accept and deposit loan proceeds in an amount not to exceed \$2,560,810 from the Ohio EPA Water Pollution Control Loan Fund (WPCLF) into the Sanitary Sewer Replacement Loan Fund for the International Park Storage Basin Project; authorizing the appropriation and expenditure of \$2,560,810 from the Sanitary Sewer Replacement Fund; authorizing the appropriation and expenditure of \$20,000 from the Sanitary Sewer Replacement Fund for the payment of loan administration fees and miscellaneous project costs; authorizing various adjustments and transfers of expense to comply with the loan agreement; authorizing a dedicated source for repayment of said loan; authorizing the mayor to accept bids and enter into contracts; and declaring an emergency.**

### SUMMARY & BACKGROUND:

This ordinance authorizes the mayor to apply for, enter into agreements, accept and deposit up to a \$2,560,810 supplemental loan from the Ohio EPA WPCLF for the International Park Storage Basin Project. It further dedicates a source of funds for repayment of the loan, and appropriates \$20,000 to pay loan application fees and miscellaneous non-loan funded project costs. It authorizes the mayor to accept bids and enter into contracts for the project. The International Park Storage Basin project, as part of the Toledo Waterways Initiative, includes construction of a basin, a dewatering pump station, outfall, diversion structures and conveyance piping in order to meet the requirements of the city's Consent Decree. Differing site conditions during tunneling operations have resulted in significant construction extras. Also, OEPA has approved the inclusion of the pavement reconstruction for the north half of Richard W. Boers Drive into the project's roadway restoration. In addition, the MLK bridge closure to install the 84" diameter pipe across

Main Street was postponed to September 24, 2018 to ease the construction burden on local businesses, resulting in an extended contract duration and additional professional services. These items along with other necessary miscellaneous field adjustments have exhausted the original loan proceeds authorized by Ordinance 28-16 and caused the need for a supplemental loan to cover the additional costs. The Ohio EPA indicated that the existing WPCLF loan for this project could be amended to fund these additional construction costs.

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

SECTION 1. That the mayor is authorized to enter into agreements and accept and deposit supplemental loan proceeds from the Ohio EPA Water Pollution Control Loan Fund (WPCLF) in an amount not to exceed \$ 2,560,810 into the Sanitary Sewer Replacement Fund, Account Code 673L-36000-4XL0116 (International Park Storage Basin Project).

SECTION 2. That an amount not to exceed \$ 2,560,810 is appropriated from the loan proceeds of the Sanitary Sewer Replacement Fund into Account Code 673L-36000- 4XL0116 (International Park Storage Basin Project); and further authorizing the expenditure of same for the International Park Storage Basin Project.

SECTION 3. That an amount not to exceed \$20,000 is appropriated from the unappropriated balance of the Sanitary Sewer Replacement Fund into Account Code 6073-36000-4XC0116 (International Park Storage Basin Project) for payment of loan application fees and miscellaneous project costs; and authorizing the expenditure of same.

SECTION 4. That various adjustments and line item expenditure transfers are authorized to comply with said loan agreement.

SECTION 5. That the disappropriation of any remaining budget to fund balance at project closeout is authorized.

SECTION 6. That the dedicated source of repayment for said loan shall be the unappropriated balance of the Sanitary 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 the mayor is authorized to prepare plans and specifications and to enter into contracts after accepting bids in an amount not to exceed \$2,580,810 for said project including such items as labor, materials, real estate incidentals, purchase of rights-of-way and easements, and professional services as necessary to undertake said project. Contracts shall be subject to approval by the director of law and the director of public utilities.

SECTION 8. That the Finance Director is authorized to issue his warrant or warrants against the above account codes in amounts not to exceed \$2,580,810 and make necessary expenditures in payment of the obligations incurred pursuant to the agreements authorized above upon presentation of the proper voucher or vouchers.

SECTION 9. 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 timely completion of the International Park Storage Basin Project.

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