

## ORDINANCE NO. 14-17

### AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO EXECUTE ON BEHALF OF THE CITY A FINANCING PROPOSAL FROM THE TOLEDOLUCAS COUNTY PORT AUTHORITY IN ANTICIPATION OF THE CITY ESTABLISHING AN OHIO ENERGY SPECIAL IMPROVEMENT DISTRICT AND DECLARING AN EMERGENCY

WHEREAS, the City is in need of making improvements to the mechanical systems servicing the City Hall Building, and

WHEREAS, the City has been approached by the Toledo-Lucas County Port Authority (TLCPA) to participate in an energy efficiency program known as the Better Buildings Northwest Ohio Program, and

WHEREAS, the TLCPA has submitted to the City a proposed financing plan for the cost of the improvements to be made to the City Hall Building if the City decides to proceed to establish an Ohio Energy Special Improvement District (ESID), and

WHEREAS, the acceptance by the City of the financing proposal is a first step towards creating an ESID and the process for creating such a district will require the City to consider additional legislation prior to the actual creation of the ESID, and

WHEREAS, at this time this Council finds and determines that it is in the best interest of the City and its residents to authorize the Director of Safety and Service to accept the financing proposal submitted by the TLCPA so that the City may proceed to consider the actual creation of an ESID for the purpose of providing benefits for the financing of improvements to the City Hall Building.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Port Clinton, County of Ottawa and State of Ohio:

**Section 1.** The Director of Safety and Service (Director) is hereby authorized and directed to enter into a financing proposal submitted to the City by the TLCPA, a copy of which proposal is attached hereto as Exhibit A, so that the City may proceed to consider additional legislation to create an ESID in the City, and so that the City and other eligible property owners in the City may receive the advantages and benefits that such a district creates for financing energy improvements to property.

**Section 2.** The Mayor, the Auditor, the Treasurer, the Clerk of Council, the Director of Safety and Service, the Director of Law and other City officials, as appropriate, are each authorized and directed to take any and all such other actions, including execution and delivery of any agreements or instruments as are necessary, appropriate or required to consummate the transactions contemplated by this Ordinance.

**Section 3.** This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council, and any of its committees, that resulted in those actions were in meetings open to the public, in compliance with the law.

**Section 4.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective because the mechanical systems serving the City Hall Building and Police Station are in need of immediate and prompt replacement, that the continued efforts by the City to repair and maintain the existing system is not the most efficient use of the City's limited resources, and the City will receive benefits from cost savings from the installation of new, more energy efficient, mechanical systems for the City Hall Building; **wherefore**, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: \_\_\_\_\_, 2017

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Approved \_\_\_\_\_, 2017

\_\_\_\_\_  
Mayor

June 5, 2017

Mayor Hugh Wheeler, Jr.  
City of Port Clinton  
8606 East Perry Road  
Port Clinton, Ohio 43452

Exhibit A

Dear Mayor Wheeler:

The Toledo-Lucas County Port Authority's (TLCPA) energy efficiency program, known as the BetterBuildings Northwest Ohio (BBNWO) and the Northwest Ohio Advanced Energy Improvement District are pleased to offer the following financing proposal. The following is for discussion purposes only and is intended to be an outline of the proposed structure, the terms and conditions of the financing and is not intended to be a commitment by any of the involved parties:

Borrower and Guarantor:	City of Port Clinton
Project Description:	To finance the implementation of energy efficiency measures such as HVAC, lighting upgrades, building envelope and controls systems.
Project Sites:	City Hall & Police Station: 1868 East Perry Road, Port Clinton, Ohio 43452
Total Financing Amount:	\$205,000.00
Fixed Interest Rate:	5.00% <i>(Rate may vary slightly based on current bond market rates and will be fixed at the time of assessment. Interest will accrue from time of closing until first assessment payment is due)</i>
Term:	15 years
Assessment Payments:	14 annual payments estimated at \$21,035.49 28 semi-annual payments estimated at \$10,519.75 <i>(Varies per attached bond schedule)</i> <i>(Not including a 1% County Fee added to semi-annual special assessment)</i>
Date of First Payment:	January 31, 2018
Collateral:	Energy Project Agreement on property
Source of Funds:	NWOAIED/Northwest Ohio Bond Fund



Uses:

Description	Amount
Energy Efficiency Project	\$171,500.00
Capitalized Interest & Bond Fees	\$4,812.47
Cost of Issuance	\$6,816.25
Borrower Reserve	\$20,500.00
Rounding Contingency	\$1,371.28
<b>CREDIT APPROVAL AMOUNT</b>	<b>\$205,000.00</b>

Energy Savings:

Total annual energy savings is estimated to exceed 20%

Conditions of Financing:

- a) Establishment of City of Port Clinton, Ohio Energy Special Improvement District (ESID)
- b) Execution of standard agreements: Agreement to Impose Special Assessment, Petition to Impose Special Assessment, Compliance Agreement, and Corporate Resolution
- c) Legislation of Resolutions of Necessity, to Proceed and to Levy the Assessment
- d) Lien search
- e) Finalization of project costs and energy savings

We look forward to working with you on this energy efficiency project. If you have any questions, please contact Teresa Snyder at 419-243-8251 [tsnyder@toledoport.org](mailto:tsnyder@toledoport.org)

Sincerely,

***Kevin Moyer***

Kevin Moyer, Executive Director

Energy Efficiency and Alternative Energy Program

Acknowledgment and Acceptance

By authorized signature below, Hugh Wheeler, Jr., Mayor, City of Port Clinton, acknowledges and accepts the terms and conditions of the financing proposal outlined above for the sole purpose of proceeding forth with the preparation of the required financing documents and legislation, each of which shall be subject to review and approval by all parties.

Signature: \_\_\_\_\_  
Printed: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

