

ORDINANCE NO. 11-2018

Amending Ordinance No. 41-2017 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of Energy Conservation Measures, Authorize the Execution and Delivery of an Energy Savings Contract, and to Proceed with said Project. (Project No. 677-18)

WHEREAS, The City of Worthington's City Council (the "*Council*"), is authorized under Ohio Revised Code ("ORC") Section 717.02 to select a vendor for the purpose of developing an energy conservation report; and,

WHEREAS, Ordinance Number 40-2017 authorized and directed the City Manager to enter into an agreement with the firm of ABM Technical Solutions, LLC for the provision of an energy conservation report; and,

WHEREAS, as a result of the energy conservation report, the Council has determined to undertake capital projects consisting of, but not limited to, all or some of the following: a guaranteed energy savings and conversion project, including the planning, design, purchase, acquisition, installation, construction, equipping and furnishing of energy savings repairs, renovations, upgrades and improvements to buildings and facilities operated by the City of Worthington as funds are available to undertake and complete (the "*Project*"); and,

WHEREAS, in order to implement the Project, the Council proposes to enter into an Energy Savings Contract and an Energy Equipment Installation Contract with ABM Technical Solutions, LLC (the "*Contracts*"); and,

WHEREAS, pursuant to the Contracts, the Council desires to acquire certain equipment with a cost of \$2,076,759 for Phase I, constituting improvements at the Community Center, Griswold Senior Center, and Fire Station; and,

WHEREAS, the proposed improvements result in an estimated savings in energy, maintenance, voided capital costs, and operating expense of \$2,688,928 over fifteen (15) years; and,

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

ORDINANCE NO. 11-2018

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8130.533406 the sum of Two Million Two Hundred Eighty Four Thousand Four Hundred and Thirty Five Dollars (\$2,284,435) which includes a 10% contingency, to pay the cost of the Energy Conservation Measures and all related expenses (Project 677-18).

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into agreements with the firm of ABM Technical Solutions, LLC for the provision of the aforementioned services.

SECTION 3. That the City Council finds that the amount of money to be spent on the Energy Conservation Measures is not likely to exceed the amount of money the City will save in energy, operating, maintenance and voided capital costs over the average system life of the measures as specified in the energy conservation report.

SECTION 4. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 5. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed April 2, 2018

/s/ Bonnie D. Michael
President of Council

Attest

/s/ D. Kay Thress
Clerk of Council

Introduced March 19, 2018
P.H. April 2, 2018
Effective April 25, 2018