

RESOLUTION NO. 2009-003

SPONSOR Mr. Pry, Mr. Poda, and Mr. Kostandaras

DATE January 26, 2009

COMMITTEE Public Works

A Resolution authorizing the County Executive to execute a Project Agreement Grant/Loan with the Ohio Public Works Commission ("OPWC") for a combination loan and grant to be used to finance the cost of the Q-443 Kenneth/Samira Sanitary Sewer System Improvement project in the total amount of \$975,000.00, located in the City of Stow, Council District 3, for the Executive's Department of Environmental Services, and declaring an emergency.

WHEREAS, the County desires to construct the Q-443 Kenneth/Samira Sanitary Sewer System Improvement Project, located in Council District 3 in the City of Stow; and

WHEREAS, the County desires to obtain a loan and grant from the OPWC to finance costs of construction of the Project on the terms set forth in the Project Agreement; and

WHEREAS, the OPWC has indicated its willingness to provide a loan in the amount of \$487,500.00 and a grant in the amount \$487,500.00 for that purpose and on those terms; and

WHEREAS, the County has determined the necessity to proceed with the construction of the Project in Resolution No. 2008-326; and

WHEREAS, a copy of the Project Agreement for said project is attached as Exhibit A hereto and is on file in the Office of the Clerk of Council and at the Department of Environmental Services' State Road Office; and

WHEREAS, the County Engineer estimates the total cost of said Project to be an amount not to exceed \$2,693,000.00; and

WHEREAS, this Council has determined by reviewing all pertinent information that the aforementioned agreement is necessary and in the best interest of the County of Summit;

NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State of Ohio, that:

SECTION 1

The County will enter into an agreement with the Ohio Public Works Commission ("OPWC") to obtain a loan and grant for the construction of the Q-443 Kenneth/Samira Sanitary Sewer System Improvement Project, located in Council District No. 3 in the City of Stow.

SECTION 2

The County Executive is hereby authorized to execute the Cooperative Agreement with the OPWC substantially in the form as set forth in the "Project Agreement Grant/Loan State Capital Improvement Program," attached hereto as Exhibit A (the "Project Agreement"), to fund construction of the Q-443 Kenneth/Samira Sanitary Sewer System Improvement Project.

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SECTION 3

The loan portion of the Project Agreement shall be repaid from the revenues from the Summit County Metropolitan Sewer District.

SECTION 4

This Resolution is hereby declared an emergency in the interest of the health, safety, and welfare of the citizens of the County of Summit, and for the further reason that it will immediately allow the County to obtain funds for a needed improvement.

SECTION 5

Provided this Resolution receives the affirmative vote of eight (8) members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

SECTION 6

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

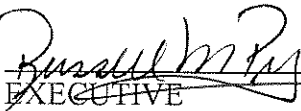
INTRODUCED January 5, 2009

ADOPTED January 26, 2009


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED January 27, 2009


EXECUTIVE

ENACTED EFFECTIVE January 27, 2009

Voice Vote: 10-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras, Poda, Prentice, Rodgers, Schmidt, Shapiro ABSENT: Smith