

1 RESOLUTION NO. 2010-108

2
3 SPONSOR Mr. Pry

4
5 DATE March 29, 2010

6 COMMITTEE Public Works

7 **A Resolution authorizing the County Executive to execute an agreement with the Ohio**
8 **Water Development Authority ("OWDA") for a loan in an amount not to exceed**
9 **\$500,000.00, for the construction of the Q-830 Warner Road Trunk Line and Force Main**
10 **Project, located in County Council District 8, for the Executive's Department of**
11 **Environmental Services ("DOES"), and declaring an emergency.**

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13 WHEREAS, the County desires to construct the Q-830 Warner Road Trunk Line and
14 Force Main Replacement Project ("Project"), located in Council District No. 8 in the City of
15 Akron and Township of Coventry; and

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17 WHEREAS, the County desires to obtain a loan from the Ohio Water Development
18 Authority ("OWDA") to finance costs of the construction of such facilities on the terms set forth
19 in the Cooperative Agreement (defined below); and

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21 WHEREAS, the OWDA has indicated its willingness to make a loan for that purpose and
22 on those terms; and

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24 WHEREAS, the County has determined the necessity to proceed with the construction of
25 the Project in Resolution No. 2010-054; and

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27 WHEREAS, a copy of the Cooperative Agreement for said Project is attached as Exhibit
28 A hereto and is on file in the Office of the Clerk of Council and at the DOES State Road Office;
29 and

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31 WHEREAS, the DOES Engineer estimates the total cost of the Project to be an amount
32 not to exceed \$500,000.00; and

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34 WHEREAS, this Council has determined by reviewing all pertinent information that
35 authorizing the County Executive to execute the agreement is necessary and in the best interest
36 of the County of Summit;

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

40
41 SECTION 1

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43 The County will enter into an agreement with the OWDA to obtain a loan for the
44 planning and construction of the Q-830 Warner Road Trunk Line and Force Main Project,
45 located in Council District No. 8 in the City of Akron and Township of Coventry.
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1 RESOLUTION NO. 2010-108

2 PAGE TWO

3
4 SECTION 2

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6 The County Executive is hereby authorized to execute the "Cooperative Agreement for
7 Construction, Maintenance and Operation of State Water Project or Wastewater Project,"
8 attached hereto as Exhibit A (the "Cooperative Agreement") and incorporated herein as if fully
9 restated, with the OWDA, for a 20-year loan an amount not to exceed \$500,000.00 to fund
10 construction of the Project. The Cooperative Agreement is approved with changes therein not
11 inconsistent with this Resolution and not substantially adverse to the County which shall be
12 approved by the County Executive, provided that the approval of these changes by the County
13 Executive shall be evidenced conclusively by the execution of the Cooperative Agreement.

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15 SECTION 3

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

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21 SECTION 4

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

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27 SECTION 5

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29 It is found and determined that all formal actions of this Council concerning and relating
30 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
31 deliberations of this Council and any of its committees that resulted in such formal action, were
32 in meetings open to the public, in compliance with all legal requirements, including Section
33 121.22 of the Ohio Revised Code.

34
35 INTRODUCED March 15, 2010

36
37 ADOPTED March 29, 2010

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39 *Wendee Mumford Stanley Green*
40 CLERK OF COUNCIL

John Rod
PRESIDENT OF COUNCIL

41
42 APPROVED March 29, 2010

43
44 *Russell M. P.*
45 EXECUTIVE

March 29, 2010
ENACTED EFFECTIVE

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Voice Vote: 9-0 YES: Komunale, Crawford, Crossland, Feeman, Kostandaras,
Poda, Prentice, Rodgers, Schmidt Absent: Shapiro, Smith