

1 RESOLUTION NO. 2011-358

2
3 SPONSOR Mr. Pry

4
5 DATE September 19, 2011

COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to enter into an agreement with the Ohio**
8 **Water Development Authority ("OWDA") for a loan in an amount not to exceed**
9 **\$271,507.50 to finance the costs of the Pump Station Nos. 30 and 51 Force Mains**
10 **Abandonment Project Q-944 ("Project"), in Council District 8, for the Executive's**
11 **Department of Environmental Services, and declaring an emergency.**

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13 WHEREAS, in Resolution No. 2011-262, County Council awarded a contract to
14 Wingfoot Rental and Development Company for construction of the Project in an amount not to
15 exceed \$246,825.00; and

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17 WHEREAS, the County desires to obtain a loan from the OWDA to finance the costs of
18 the Project on the terms set forth in the Cooperative Agreement (defined below); and

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20 WHEREAS, under the Cooperative Agreement, the OWDA shall disburse the amounts
21 under the loan to Wingfoot Rental and Development Company upon pay request submittals by
22 the County; and

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

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27 WHEREAS, a draft of the Cooperative Agreement for the Project is attached as Exhibit
28 A hereto and is on file in the Office of the Clerk of Council and at the Executive's Department of
29 Environmental Services' State Road Office; and

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31 WHEREAS, this Council has determined by reviewing all pertinent information that
32 authorizing the County Executive to execute the Cooperative Agreement is necessary and in the
33 best interest of the County of Summit;

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

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38 SECTION 1

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40 The County Executive is hereby authorized to execute the Cooperative Agreement with
41 the Ohio Water Development Authority ("OWDA") substantially in the form as set forth in the
42 "Cooperative Agreement for Construction, Maintenance and Operation of State Water Project or
43 Wastewater Project," attached hereto as Exhibit A (the "Cooperative Agreement"), and any other
44 related documents, for a 20-year loan, in an amount not to exceed \$271,507.50, to fund Pump
45 Station Nos. 30 and 51 Force Main Abandonment Project Q-944 ("Project"). The interest rate
46 for the 20-year loan shall not exceed 4.75% per year.

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48 SECTION 2

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50 This Resolution is hereby declared an emergency in the interest of the health, safety and
51 welfare of the citizens of the County of Summit and for the further reason to immediately finance
52 the cost of Project Q-944, a needed sanitary improvement.

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4 SECTION 3

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

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10 SECTION 4

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12 It is found and determined that all formal actions of this Council concerning and relating
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
14 deliberations of this Council and of any of its committees that resulted in such formal action,
15 were in meetings open to the public, in compliance with all legal requirements, including section
16 121.22 of the Ohio Revised Code.

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18 INTRODUCED August 29, 2011

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20 ADOPTED September 19, 2011

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24 CLERK OF COUNCIL


PRESIDENT OF COUNCIL

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26 APPROVED September 21, 2011

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28 
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30 EXECUTIVE

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32 ENACTED EFFECTIVE September 21, 2011

Voice Vote:11-0 YES: Komunale, Crawford, Feeman, Kostandaras
Lee, Kurt, Prentice, Rodgers, Roemer, Schmidt, Shapiro