

1 RESOLUTION NO. 2023-168

2

3 SPONSOR Executive Shapiro

4

5 DATE June 5, 2023

COMMITTEE Public Works

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7 **A Resolution authorizing the Executive to execute an Ohio Public Works Commission**
8 **grant application and other documents necessary to apply for and accept grant funding,**
9 **with the City of New Franklin, to fund a portion of the costs of various public**
10 **infrastructure sewer improvements (“Q-834 Project”), in an amount not to exceed**
11 **\$4,500,000.00, and authorizing the Executive to apply for and execute a Water Pollution**
12 **Control Loan Fund loan agreement to finance the design and construction of the Q-834**
13 **Project in an amount not to exceed \$3,500,000.00, in the City of New Franklin, in Council**
14 **District 7, for the Executive’s Department of Sanitary Sewer Services, and declaring and**
15 **emergency.**

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17 WHEREAS, the State Capital Improvements Program through the Ohio Public Works
18 Commission (“OPWC”) provides financial assistance to political subdivisions for capital
19 improvements to public infrastructure; and

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21 WHEREAS, the County, as the lead applicant, along with the City of New Franklin as a
22 co-applicant, desires to apply for a grant in the amount of \$4,500,000.00 from the OPWC to
23 finance a portion of the infrastructure sewer improvement projects to provide sanitary sewer
24 services in New Franklin as described on Exhibit A, which is attached and incorporated herein
25 by reference (“Q-834 Project”); and

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27 WHEREAS, the City of New Franklin shall provide a contribution for the funding of the
28 Q-834 Project in an amount of \$3,000,000.00 from a federal grant and \$50,000.00 as authorized
29 by New Franklin Resolution No. 23-R-39, which is attached hereto and incorporated herein by
30 reference as Exhibit B; and

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32 WHEREAS, the County shall be the lead public agency in the design and construction of
33 the Q-834 Project; and

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35 WHEREAS, the County intends to apply for and execute a Water Pollution Control Loan
36 Fund (“WPCLF”) loan agreement through the Ohio Water Development Authority (“OWDA”), a
37 copy of which is attached hereto and incorporated herein by reference as Exhibit C, to finance
38 the design and construction of the Q-834 Project in an amount not to exceed \$3,500,000.00; and

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40 WHEREAS, WPCLF requires the legislative authority of the County to adopt legislation
41 for the application of loans, the execution of agreements and the designation of repayment
42 sources; and

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44 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
45 that it is necessary and in the best interest of the County of Summit to participate in the Q-834
46 Project, and to authorize the Executive to apply for and execute the OPWC grant application and
47 to apply for and execute the WPCLF Loan Agreement and designate repayment from the
48 Sanitary Sewer Enterprise Fund;

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

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7 SECTION 1

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9 The Executive is hereby authorized to apply for and execute an Ohio Public Works
10 Commission grant application and execute other necessary related documents, to fund a portion
11 of the costs of various public infrastructure sewer improvement projects, a copy of which is
12 attached hereto and incorporated herein as Exhibit A (“Q-834 Project”), in the City of New
13 Franklin, in an amount not to exceed \$4,500,000.00.

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15 SECTION 2

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17 The Executive is hereby authorized to apply for and execute a Water Pollution Control
18 Loan Fund Loan Agreement with the Ohio Water Development Authority for a loan, to finance
19 the design and construction of the Q-834 Project in an amount not to exceed \$3,500,000.00, a
20 copy of which is attached hereto and incorporated herein by reference as Exhibit C, with such
21 modifications and revisions as shall be in furtherance of the provisions of the loan agreement and
22 not substantially adverse to the County, and any other necessary documents related to the loan.
23 This Council further designates the Sanitary Sewer Enterprise Fund as the dedicated source of
24 repayment for the Water Pollution Control Loan Fund loan.

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26 SECTION 3

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28 This Resolution is hereby declared an emergency in the interest of the health, safety and
29 welfare of the residents of the County of Summit, and for the further reason that it will
30 immediately allow the County to apply for funding for the Q-834 Project.

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32 SECTION 4

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

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38 SECTION 5

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40 It is found and determined that all formal actions of the Council concerning and relating
41 to the adoption of the Resolution were adopted in an open meeting of this Council, and that all
42 deliberations of this Council and of any of its committees that resulted in such formal action,
43 were in meetings open to the public, in compliance with all legal requirements, including Section
44 121.22 of the Ohio Revised Code.

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6 INTRODUCED June 5, 2023

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8 ADOPTED June 26, 2023

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DocuSigned by:
Lauren Marsh

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CLERK OF COUNCIL

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13 APPROVED June 26, 2023

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DocuSigned by:
Steve Shapiro

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EXECUTIVE

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18 ENACTED EFFECTIVE June 27, 2023

DocuSigned by:
Veronica R Sim

PRESIDENT OF COUNCIL