

1 RESOLUTION NO. 2024-024

2

3 SPONSOR Executive Shapiro

4

5 DATE January 29, 2024

COMMITTEE Public Works

6

7 **A Resolution authorizing the Executive to execute a Cooperative Funding**
8 **Intergovernmental Agreement with Boston Township for construction of Project Q-165-1**
9 **Akron-Cleveland Road Sanitary Sewer Extension, in an amount not to exceed**
10 **\$3,315,000.00, and authorizing the Executive to apply for and execute a Water Pollution**
11 **Control Loan Fund loan agreement to fund the project in an amount not to exceed**
12 **\$2,115,000.00 and fund the remaining project cost in an amount not to exceed \$1,200,000.00**
13 **from available American Rescue Plan Act funds, for Project Q-165-1, located in Boston**
14 **Township, in Council Districts 1 and 3, for the Executive's Department of Sanitary Sewer**
15 **Services, and declaring an emergency.**

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17 WHEREAS, the County desires to undertake the Project Q-165-1 Akron-Cleveland Road
18 Sanitary Sewer Extension Project (“Project Q-165-1”) to extend sanitary sewers on Akron-
19 Cleveland Road to provide service to existing residents of Boston Township and support further
20 residential and commercial growth in the area that will be partially funded by American Rescue Plan
21 Act funds; and

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23 WHEREAS, this Council previously adopted Resolution No. 2023-078 and Resolution
24 No. 2012-157 to authorize the Executive to execute a consulting contract with GBC Design, Inc.,
25 to prepare plans and specifications for Project Q-165-1; and

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27 WHEREAS, the construction for Project Q-165-1 has a current estimated total cost of
28 \$3,500,000.00 and the final construction cost shall be determined upon construction completion;
29 and

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31 WHEREAS, Boston Township desires to enter into a Cooperative Funding
32 Intergovernmental Agreement, a copy of which is attached hereto as Exhibit A and incorporated
33 fully herein, which provides that under the direction of the Executive’s Department of Sanitary
34 Sewer Services, the County will lead the construction for Project Q-165-1, and the construction cost
35 shall be funded by a local share contribution from Boston Township for a total amount of
36 \$185,000.00, that includes Boston Township’s contribution of \$75,000.00 and certain benefited
37 property owners’ contribution of \$110,000.00, as authorized by Boston Township Resolution No.
38 20231227-02, dated December 27, 2023, a copy of which is attached hereto as Exhibit B and
39 incorporated fully herein; and

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41 WHEREAS, the County intends to apply for and execute a Water Pollution Control Loan
42 Fund (“WPCLF”) loan agreement through the Ohio Water Development Authority (“OWDA”)
43 to finance the design and construction of Project Q-165-1 in an amount not to exceed
44 \$2,115,000.00, a copy of which is attached hereto as Exhibit C and incorporated fully herein; and
45 the County shall fund the remaining balance in an amount not to exceed \$1,200,000.00 from
46 available American Rescue Plan Act funds; and

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48 WHEREAS, WPCLF requires the legislative authority of the County to adopt legislation
49 for the application of loans, the execution of agreements and the designation of repayment
50 sources; and

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4 WHEREAS, pursuant to the Codified Ordinance of the County of Summit, Ordinance
5 177.21(b), Council approval is required to authorize the Executive to execute the Cooperative
6 Funding Intergovernmental Agreement with Boston Township; and

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8 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
9 that it is necessary and in the best interest of the County of Summit to authorize the Executive to
10 execute the Cooperative Funding Intergovernmental Agreement with Boston Township and to
11 authorize the Executive to apply for and execute the WPCLF Loan Agreement and designate
12 repayment from the Sanitary Sewer Enterprise Fund;

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

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17 SECTION 1

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19 The Executive is hereby authorized to execute a Cooperative Funding Intergovernmental
20 Agreement with Boston Township, in an amount not to exceed \$3,315,000.00, a copy of which is
21 attached hereto as Exhibit A and incorporated fully herein, to fund the construction for the
22 Project Q-165-1 Akron-Cleveland Road Sanitary Sewer Extension Project, located in Boston
23 Township, in Council Districts 1 and 3 (“Project Q-165-1”) with a local share contribution from
24 Boston Township for a total amount of \$185,000.00 that includes Boston Township’s contribution of
25 \$75,000.00 and certain benefited property owners’ contribution of \$110,000.00, as authorized by
26 Boston Township Resolution No. 20231227-02, dated December 27, 2023, a copy of which is
27 attached hereto as Exhibit B and incorporated fully herein; and the County shall provide funding
28 for the project in an amount not to exceed \$2,115,000.00 from a Water Pollution Control Loan
29 Fund loan and an amount not to exceed \$1,200,000.00 from available American Rescue Plan Act
30 funds.

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32 SECTION 2

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34 The Executive is hereby authorized to apply for and execute a Water Pollution Control
35 Loan Fund Loan Agreement with the Ohio Water Development Authority for a loan to finance
36 Project Q-165-1, in an amount not to exceed \$2,115,000.00, a copy of which is attached hereto
37 as Exhibit C and incorporated fully herein, with such modifications and revisions as shall be in
38 furtherance of the provisions of the loan agreement and not substantially adverse to the County,
39 and any other necessary documents related to the loan. This Council further designates the
40 Sanitary Sewer Enterprise Fund as the dedicated source of repayment for the Water Pollution
41 Control Loan Fund loan.

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43 SECTION 3

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45 This Resolution is declared an emergency in the interest of the health, safety and welfare
46 of the residents of the County of Summit and for the further reason to immediately execute a
47 necessary Cooperative Funding Intergovernmental Agreement with Boston Township and to
48 immediately allow the County to apply for funding to timely proceed with Project Q-165-1.

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4 SECTION 4

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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 5

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12 It is found and determined that all formal actions of the Council concerning and relating
13 to the adoption of the 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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19 INTRODUCED January 29, 2024

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21 ADOPTED February 12, 2024

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23 DocuSigned by:
Monique Willis
24 _____
5560BFF400F5251

25 CLERK OF COUNCIL

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27 APPROVED February 12, 2024

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29 DocuSigned by:
Gene Shapiro
30 _____
CBD33E4DD287473...

31 EXECUTIVE

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33 ENACTED EFFECTIVE February 13, 2024

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DocuSigned by:
Rita J. Darrow

PRESIDENT OF COUNCIL

Voice Vote – YES: 9 – 0: Darrow,
Dickinson, Donofrio, McKenney,
Rodgers, Schmidt, Walters, Wiedie
Higham, Wilhite
Absent: DeVitis