

1 RESOLUTION NO. 2011-035

WITHDRAW ON 2/14/2011 BY
SPONSOR

2
3 SPONSOR Mr. Pry

4
5 DATE Withdrawn on 2/14/2011

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 **\$403,900.00 to finance the modeling of the Mudbrook Sanitary Sewer System, Project**
10 **Number Q-445, and appropriating said funds in the amount of \$403,900.00, in Council**
11 **Districts 2, 3, 4 and 6, owned and operated by the County of Summit through its**
12 **Department of Environmental Services, for the Executive’s Department of Environmental**
13 **Services, and declaring an emergency.**

14
15 WHEREAS, in Resolution No. 2010-503, County Council awarded a professional
16 services agreement to Arcadis U.S., Inc., for the modeling of sanitary sewer flows throughout the
17 Mudbrook sewer system (“Study”) in an amount not to exceed \$403,900.00; and

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

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22 WHEREAS, the OWDA shall disburse the amounts under the loan to the County, which
23 shall in turn pay the costs of the Study pursuant to the professional services agreement with
24 Arcadis U.S., Inc.; and

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

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

32
33 WHEREAS, this Council has determined by reviewing all pertinent information that it is
34 necessary and in the best interest of the County of Summit to appropriate \$403,900.00 for the
35 Study;

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

39
40 SECTION 1

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42 The County Executive is hereby authorized to execute the Cooperative Agreement with
43 the OWDA substantially in the form as set forth in the “Cooperative Agreement for State
44 Planning Project’ attached hereto as Exhibit A, for a five-year loan in an amount not to exceed
45 \$403,900.00 to fund the Study. The interest rate for the five year loan shall not exceed 5% per
46 year.

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4 SECTION 2

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6 FUND-ORG-ACCOUNT NUMBER	DESCRIPTION	AMOUNT
8 53180-8510-19504	OWDA Loan	\$403,900.00
9 53180-8510-78501	Capital Outlay-Pool Budget	\$403,900.00

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11 SECTION 3

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13 The County Fiscal Officer is hereby authorized and directed to effect the aforementioned
14 appropriations.

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16 SECTION 4

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18 This Resolution is hereby declared an emergency in the interest of the health, safety and
19 welfare of the citizens of the County of Summit and for the further reason to immediately
20 provide for said Study.

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22 SECTION 4

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

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28 SECTION 5

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30 It is found and determined that all formal actions of this Council concerning and relating
31 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
32 deliberations of this Council and of any of its committees that resulted in such formal action,
33 were in meetings open to the public, in compliance with all legal requirements, including Section
34 121.22 of the Ohio Revised Code.

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36 INTRODUCED January 31, 2011

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38 ADOPTED **Withdrawn on 2/14/2011**

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40 _____
41 CLERK OF COUNCIL

PRESIDENT OF COUNCIL

42

43 APPROVED _____

44

45

46 _____
47 EXECUTIVE

ENACTED EFFECTIVE