

RESOLUTION NO. 26-16

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT A GRANT APPLICATION TO AND EXECUTE NECESSARY CONTRACTS WITH THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR AN ISSUE 1 INTEREST REIMBURSEMENT REQUEST ASSOCIATED WITH THE MILLS ROAD STORAGE TANK AND WATER TRANSMISSION LINE PROJECT AND DECLARING AN EMERGENCY

WHEREAS, the City of Avon continues to grow and develop and there is a need to increase the capacity of the public water distribution system in order to serve residents and businesses alike; and

WHEREAS, to address this need, the City of Avon is constructing a second elevated water storage tank at the northeast corner of State Route 83 and Mills Road; and

WHEREAS, in addition the City of Avon is constructing the Mills Road 16” transmission line with all appurtenances; and

WHEREAS, pursuant to Ordinance No. 14-14, passed on January 28, 2014, CB&I, Inc. was awarded the bid for the construction of a new elevated water storage tank at the Northeast corner of State Route 83 and Mills Road in the amount of Seven Million, Thirty-Seven Thousand Six Hundred Dollars and 00/100 Cents (\$7,037,600.00); and

WHEREAS, pursuant to Ordinance No. 69-15, passed on May 28, 2015, Underground Utilities, Inc. was awarded the Mills Road 16” Water Transmission Line Project in the amount of One Million. Eight Hundred Ninety-One Thousand Nine Hundred Ninety One Dollars and 00/100 Cents (\$1,891,991.00); and

WHEREAS, pursuant to Ordinance No. 158-15, passed on January 5, 2016, Council provided for the issuance and sale of municipal income tax or revenue notes in anticipation of the issuance of bonds of the City of Avon, in a principal amount not to exceed \$8,300,000 for the purpose of making various improvements to the City’s water system; and

WHEREAS, the principal amount of the note is Seven Million Nine Hundred Fifty Thousand Dollars and 00/100 Cents (\$7,950,000.00), with an annual interest rate of 1.25% and;

WHEREAS, the estimated annual interest expense, July 1, 2016 to June 30, 2017 is Ninety-Nine Thousand, Three Hundred and Seventy-Five Dollars and 00/100 Cents (\$99,375.00); and

WHEREAS, Council, deeming it to be in the best interest of the health, safety and welfare of the community authorizes the Mayor to submit an application to the State of Ohio Public Works Commission (OPWC), District Nine, for a grant of funds from the Issue One Credit Enhancement Program for the construction period interest going back one year to the date of the Project Agreement, and;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - The Mayor is hereby authorized to submit a grant application to and, upon approval of the Law Director, execute necessary contracts with the Ohio Public Works Commission for State Issue One (1) funds for the year 2016, Round 31, to obtain much needed financial assistance for the construction of public improvements within the City of Avon, to wit: the interest reimbursement for the Mills Road Storage Tank and Water Transmission Line Construction.

Section 2 - That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 3 - That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to support an application for State Issue One (1) funds for the year 2016, Round 31 prior to its predetermined deadlines; therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

Resolution No. 26-16 (Con't.)

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director