

RESOLUTION NO. R-12-25

A RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF AVON ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS STREET IMPROVEMENT FUND FOR THE CHESTER ROAD WIDENING PHASE II PROJECT, C126Y/C127Y WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO AND DECLARING AN EMERGENCY

WHEREAS, on October 26, 2020, Council passed Resolution R-22-20 in support of submitting an application to the Ohio Public Works Commission for State Issue One Funding of the Chester Road Widening Phase II Project; and

WHEREAS, on March 13, 2023, Council passed Resolution R-14-23 to advertise for bids to complete the Chester Road Widening Phase II project pursuant to plans and specifications developed by the City Engineer and Chagrin Valley Engineering, Ltd.; and

WHEREAS, on April 10, 2023, Council passed Ordinance No. 51-23 to award the bid to KMU Trucking & Excavating, LLC in the amount of Two Million, One Hundred Two Thousand, Three Hundred Forty-Three and 39/100 Dollars (\$2,102,343.39), finding said bid to be the lowest and the best; and

WHEREAS, the project was completed in 2023.

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

Section 1 – That the City of Avon reasonably expects to receive a reimbursement for the Chester Road Widening Phase II project as set forth in Appendix A of the Project Agreement between OPWC and the City, with the proceeds of bonds to be issued by the State of Ohio.

Section 2 – That the maximum aggregate principal amount of bonds, other than for costs of issuance, expected to be issued by the State of Ohio for reimbursement to the local subdivision is not to exceed \$750,000.

Section 3 – That the Clerk of the City of Avon is hereby directed to file a copy of this Resolution with this City of Avon for the inspection and examination of all persons interested therein and to deliver a copy of this Resolution to the Ohio Public Works Commission.

Section 4 – 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, including Section 121.22 of the Ohio Revised Code.

Section 5 – 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

Resolution No. R-12-25 (Con't)

citizens of the City of Avon, and shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

DATE SIGNED: _____

By: _____

Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

POSTED: _____

Electronically and at City Hall as
Provided by Council

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