

RESOLUTION NO. 31-2021 (MS)

By Council Member Dunbar

A Resolution authorizing the City Manager to apply for, accept, and enter into a second Cooperative Agreement for planning and/or construction of the 2021 Refuse & Recycling Automation & Transfer Station Improvements project between the City of Cleveland Heights and the Ohio Water Development Authority; and declaring an emergency.

WHEREAS, the City of Cleveland Heights (hereinafter referred to as the “LGA”) is planning the 2021 Refuse & Recycling Automation & Transfer Station Improvements project; and

WHEREAS, the LGA desires to obtain a loan from the Ohio Water Development Authority (hereinafter referred to as the “OWDA”) to finance costs of the planning and/or construction of such facilities on the terms set forth in the Cooperative Agreement; and

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

WHEREAS, pursuant to Resolution No. 18-2021, this Council authorized the City Manager to apply for, accept, and enter into a Cooperative Agreement with OWDA for the project; and

WHEREAS, it has been determined that OWDA will require two separate Cooperative Agreements with the City for the project, one specifically for the equipment associated with the project and one specifically for the construction associated with the project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. That the LGA hereby approves the planning and construction of the 2021 Refuse & Recycling Automation & Transfer Station Improvements project in cooperation with the OWDA under the provisions, terms, and conditions set forth in the “Cooperative Agreement for State Planning Project” as set forth in Exhibit A (the “Cooperative Agreement”) and hereby authorizes the City Manager and Director of Finance to execute a second Cooperative Agreement with the OWDA substantially in the form set forth in Exhibit A.

SECTION 2. The City Manager and Director of Finance are further authorized to execute any and all such other agreements and documents with OWDA as are necessary to effectuate the planning and construction of the Project.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution/ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

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SECTION 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 5. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to implement the 2021 Refuse & Recycling Automation & Transfer Station Improvements at the earliest possible time. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

JASON S. STEIN
President of Council

AMY HIMMELEIN
Clerk of Council

PASSED: April 5, 2021