

RESOLUTION NO. 35-2005

Offered by: All of Council

A RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT FOR PLANNING FOR EXTENSION OF THE WATER LINE IN STATE ROUTE 303 FROM FAITH LANE TO THE TOWN HALL PROJECT BETWEEN THE VILLAGE OF RICHFIELD AND THE OHIO WATER DEVELOPMENT AUTHORITY AND DECLARING AN EMERGENCY

WHEREAS, the Village of Richfield (hereinafter referred to as the Local Government Agency or "LGA") Council finds the need to extend the State Route 303 water line from Faith Lane to the Town Hall to provide potable water to the involved area; 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 of such facilities on the terms set forth in the Cooperative Agreement (defined below); and

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

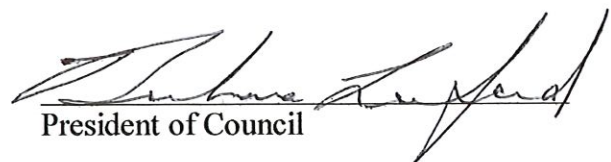
NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, Summit County, State of Ohio, Ohio:

Section 1. That the LGA hereby approves the planning of the aforesaid State Route 303 water line extension from Faith Lane to the Town Hall 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 Chief Executive Officer and the Chief Fiscal Officer of the LGA to execute the Cooperative Agreement with the OWDA substantially in the form set forth in Exhibit A.

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution 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.

Section 3. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety for the reason that the immediate construction of the State Route 303 water line extension from Faith Lane to the Town Hall project at the earliest possible time is necessary in order to protect the health of the inhabitants of the LGA by providing potable water; wherefore, this resolution shall be in full force and effect from and immediately after its passage.

PASSED: 6/7/05


President of Council

Michael P. ...
Mayor

Dated: 6/7/05

ATTEST:

Carolyn E. Sullivan
Clerk of Council

OHIO WATER DEVELOPMENT AUTHORITY

GENERAL CERTIFICATE

The undersigned, Carolyn E. Sullivan of the Village of Richfield, Ohio, hereby certifies that:

I During the year 2005, the following were the Incumbents of the offices indicated below:

| | <u>Title</u> | <u>Name</u> |
|----------------------------------|-------------------------|----------------------------|
| Chief Executive Officer: | <u>Mayor</u> | <u>Michael K. Lyons</u> |
| Chief Fiscal Officer: | <u>Finance Director</u> | <u>Eleanor Lukovics</u> |
| Officer Responsible for Records: | <u>Clerk of Council</u> | <u>Carolyn E. Sullivan</u> |

Legislators: Bobbie Beshara, Andy Ellis, Bob Hooper, Rick Hudak, Charles Kozelka, Barbara Lanford, and George Strongosky

II The regular meetings of Council of the Village of Richfield are held on the first and third Tuesday of each month.*

III* Attached hereto are true and exact copies of the following, none of which legislation has been rescinded or repealed:

- (A) Resolution No. ____ - 2005 of the Council authorizing the Village of Richfield to enter into a Cooperative Agreement with the Ohio Water Development Authority, together with:
 - 1. Copy of minutes evidencing the passage thereof.
 - 2. Four (4) executed copies of Cooperative Agreement each having a brief project description attached and marked.
 - 3. The undersigned, Carolyn E. Sullivan, of the legislative authority of the Village of Richfield, Ohio, hereby certifies that Resolution No. ____ - 2005 in the official record of Resolution No. ____ - 2005 has attached Exhibit A which is the Cooperative Agreement authorized by said Resolution No. ____ - 2005 and that said Exhibit A has attached as Exhibit A a description of the Project Facilities being financed under said Cooperative Agreement.
- (B) Resolution/Ordinance No. _____ of the Council of the Village of Richfield authorizing rates and/or tap-in fees.
 - 1. Copy of minutes evidencing passage thereof.
 - 2. Copy of Amortization Schedule.

(C) If applicable, copies of pertinent Special Assessment Legislation.

IV All meetings of the Council, and of its committees and any other public bodies, at which the formal actions referred to in Section III above were taken, or at which deliberations that resulted in such formal actions were held, were open meetings, and such formal actions were taken and any such deliberations took place while such meetings were open to the public, in compliance with all legal requirements including Section 121.22, Revised Code. All requirements and procedures for giving notice and notification of the aforementioned meetings, as set forth in said Section 121.22 and the rules of the Council in the implementation thereof, were complied with.

V** The Village of Richfield has/has not adopted a charter under Article XVIII of the Ohio Constitution. It has not adopted one of the optional plans of government provided for in Revised Code Chapter 705.

(Signature and Title)

(Date)

* If any piece of legislation specified in Section III was passed at a special meeting, add the following: Written notice of the special meeting of the Council held on _____ was served personally upon or left at the usual place of residence of each member of the Council at least days in advance of such meeting, and written notice of the time, place and purpose of such meeting was, at least 24 hours in advance of the time of such meeting, given to and received by all news media that had theretofore requested notification of such special meetings pursuant to Section 121.22, Ohio Revised Code.

** To be used only in the case of a municipal corporation.