

Ordinance No. 949-2022 AS AMENDED

By Council Members Kazy and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

To amend the title and Section 4 of Ordinance No. 732-2020, passed November 18, 2020; and to supplement the ordinance by adding new Sections 3a, ~~3b and 3c~~ 3b, 3c, and 3d relating to the public improvement of rehabilitating Kirtland Crib to add authority to apply for and accept one or more Water Supply Revolving Loan Account Loans for this project.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the title and Section 4 of Ordinance No. 732-2020, passed November 18, 2020, are amended to read as follows:

An Emergency Ordinance determining the method of making the public improvement of rehabilitation of the Kirtland Crib; ~~and~~ authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement; ~~and~~ authorizing the Director of Public Utilities and/or the Director of Finance to apply for and accept a Water Supply Revolving Loan Account loan to provide funding for this project and authorizing the Director of Public Utilities and/or the Director of Finance to apply for and accept grants as they become available and other funding from the United States of America and its federal agencies, the State of Ohio and its state agencies, public agencies and/or pass-through entities approved by the governmental entity.

Section 4. That the cost of the improvement and other expenditures authorized shall be paid from the fund or funds to which are credited the loan proceeds received under the WSRLA Agreement, the fund or funds to which are credited any grant funds received and from the fund or funds to which are credited proceeds from the sale of future bonds, if issued for this purpose, and Fund No. 52 SF 001, RQS 2002, RL 2020-63.

Section 2. That the existing title and existing Section 4 of Ordinance No. 732-2020, passed November 18, 2020, are repealed.

Section 3. That Ordinance No. 732-2020, passed November 18, 2020, is supplemented by adding new Sections 3a, ~~3b and 3c~~ 3b, 3c, and 3d to read as follows:

Section 3a. That the Director of Public Utilities and/or the Director of Finance is authorized to apply for and accept one or more Water Supply Revolving Loan Account ("WSRLA") loans from the Ohio EPA, Ohio Water Development Authority, or other appropriate state agency.

Section 3b. That the Director of Public Utilities and/or the Director of Finance is authorized to enter into one or more loan agreements with the Ohio EPA, Ohio Water Development Authority, or other appropriate state agency, for

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one or more WSRLA loans, which loan agreement or agreements may contain additional terms that are acceptable to the Director of Law to protect the public interest. The Director of Public Utilities and/or the Director of Finance is further authorized to file all papers and execute all documents necessary to receive the funds under the WSRLA agreement or agreements; and appropriate the loan funds for the purposes set forth in the WSRLA agreement or agreements.

Section 3c. That upon execution of the WSRLA agreement or agreements, the Director of Public Utilities and/or the Director of Finance is authorized to repay the loan funds to the WSRLA in accordance with the terms and conditions of the WSRLA agreement or agreements, from the operating revenues of the Division of Water.

Section 3d. The Director of Public Utilities and/or the Director of Finance is authorized to apply for and accept grants as they become available and other funding from the United States of America and its federal agencies, the State of Ohio and its state agencies, public agencies and/or pass-through entities approved by the governmental entity and that the appropriate Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant or grants; and that the funds are appropriated for the purposes described in this ordinance.

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CH:nl
9-19-22

FOR: Director Keane

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REPORT
after second Reading

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READ FIRST TIME

REPORTS

and referred to

by the council _____

CITY CLERK

READ SECOND TIME

by the council _____

CITY CLERK

READ THIRD TIME

by the council _____

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. _____ Page _____

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