

REQUESTED BY:
MACPHERSON

LAW DEPARTMENT
DRAFT NO. 0439

TITLE

AN ORDINANCE FOR THE PURPOSE OF AUTHORIZING A CONTRACT(S) FOR THE PROJECT KNOWN AS BANE STREET AND MILLER STREET WATERLINE REPLACEMENT, AND FURTHER AUTHORIZING THE EXECUTION OF THE PROJECT GRANT AGREEMENT, AND OTHER PROPER DOCUMENTS, WITH THE STATE OF OHIO PUBLIC WORKS COMMISSION TO SECURE APPROVAL AND GRANT FUNDING OR ASSISTANCE FOR THE PROJECT UNDER SECTION 2K ARTICLE VIII OF THE CONSTITUTION OF OHIO AND SECTIONS 164.01 TO 164.13 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 13289/2023

WHEREAS, in November 1987, Section 2k of Article VIII of the Ohio Constitution (known as Issue 2) was approved for the purpose of providing financing or assistance for the cost of public infrastructure capital improvements for local governments; and

WHEREAS, The General Assembly of Ohio enacted Sections 164.01 to 164.13 of the Ohio Revised Code to create the Ohio Public Works Commission and to otherwise implement the provisions of Section 2k, Article VIII of the Constitution of Ohio; and

WHEREAS, the City of Warren has prepared plans and specifications for a Project known as the Bane Street and Miller Street Waterline Project; and

WHEREAS, the Project is qualified and has been recommended to the Director of the Public Works Commission of Ohio by the Integrating Committee of District Six; and

WHEREAS, the City of Warren deems the Project necessary in the public interest and that it should be initiated at the earliest possible time; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That the Director of Public Service and Safety be, and he is hereby, authorized to advertise for bids for the Bane Street and Miller Street Waterline Project in accordance with the plans and specifications on file therefor in the office of the Director of Public Service and Safety, and, after advertising for bids according to law, to enter into whatever contract or contract(s) that are necessary or useful to accomplish the said purpose.

Section 2: That, pursuant to the requirements of Section 6 of the Project Grant Agreement, Tom Ross is appointed Project Manager, Vincent S. Flask, City Auditor, is appointed Chief Financial Officer, and Eddie L. Colbert, Director of Public Service and Safety, is appointed Chief Executive Officer for the Project.

Section 3: That the designated Officers of the City are hereby authorized to execute any and all documents, including but not limited to the Project Grant Agreement with the Director of the Ohio Public Works Commission that may be required from time to time to secure the Project Grant and to accomplish the purposes of the designated Infrastructure Project.

Section 4: That the City's share of the Project cost shall be in accord with provisions of Section 3 of the Project Grant Agreement which shall be: Local Water Fund \$722,200.00; O.P.W.C. Grant \$439,650.00, O.P.W.C. Loan \$408,200; (total project \$1,570,000.00).

Section 5: That the contract(s) shall first be approved by the Law Director and the City Auditor be, and hereby is, authorized to disburse said funds upon receipt of proper vouchers, signed by the proper persons, for the stated purpose and for no other purpose.

Section 6: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare, and safety, and for the further reason that it is necessary to initiate the Project at the earliest possible time during good construction weather to provide safe conditions for the movement of vehicular traffic in the Project area. WHEREFORE, this Ordinance shall go into immediate effect.

Passed in Council this 21st day of NOVEMBER 2021.

SIGNED: [Signature]
PRESIDENT OF COUNCIL - Pro Tem

ATTEST: [Signature]
CLERK

FILED WITH THE MAYOR: 11-21-2023

DATE APPROVED: 11-21-2023

[Signature]
MAYOR, CITY OF WARREN, OHIO