

REQUESTED BY:
SFERRA

LAW DEPARTMENT
DRAFT NO. 3890

TITLE

AN ORDINANCE FOR THE PURPOSE OF AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE AND SAFETY, FOR AND ON BEHALF OF THE CITY OF WARREN, TO ENTER INTO AN AGREEMENT(S) WITH CLEAN ENERGY FUTURE-TRUMBULL, LLC FOR FUNDING OF INFRASTRUCTURE COSTS, CONSTRUCTION NEEDS, CAPITAL IMPROVEMENTS AND ALL EFFICIENCY AND CAPABILITY UPGRADES AT THE CITY OF WARREN, OHIO WATER FILTRATION PLANT, NEW PUMP STATION, INTERCONNECTION IN THE CITY OF WARREN, OHIO, NEW WATERLINE AND ANY OTHER RELATED IMPROVEMENTS NEEDED FOR COMPLETION OF SAID PROJECT AND DECLARING AN EMERGENCY.

ORDINANCE NO. 12890/19

WHEREAS, the Village of Lordstown and the City of Warren entered into an agreement on December 3, 1986 relative to the City of Warren, Ohio supplying water to what is now known as the Lordstown Water District; and

WHEREAS, the Village of Lordstown and the City of Warren desires to enter into another such agreement(s); and

WHEREAS, the City of Warren owns, operates and maintains a public water system to provide for a public water supply and fire protection for the City; and

WHEREAS, the City of Warren has an adequate supply of water and is willing and desires to continue to supply water to the Lordstown Water District; and

WHEREAS, the transmission lines to Lordstown are inadequate to supply the increased flow of water needed to supply Clean Energy Future-Trumbull, LLC; and

WHEREAS, Clean Energy Future-Trumbull, LLC desires to enter into a Master Agreement for funding of legal, engineering and construction costs with the City of Warren for the funding of Capital Infrastructure costs relative to the construction of additional transmission water lines to the Village of Lordstown, Ohio; a new pump station and interconnection in Warren, and efficiency and capability upgrades at the City of Warren, Ohio Water Filtration Plant.

WHEREAS, it would be to the benefit of the City of Warren, Ohio, to enter into an agreement(s) for funding of infrastructure costs, construction needs, capital improvements at the City of Warren, Ohio Water Filtration Plant, new pump station, interconnection in the City of Warren, Ohio, new waterline and any other related improvements needed for completion of said project; and

WHEREAS, Clean Energy Future-Trumbull, LLC will be responsible for all costs associated with the project as per an agreement(s) to be signed by the Mayor and Safety Service Director of the City of Warren, Ohio; NOW THEREFORE

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

Section 1: That the Mayor and Director of Public Service and Safety be, and hereby are, authorized for and on behalf of the City of Warren, Ohio, to enter into an agreement(s) with Clean Energy Future-Trumbull, LLC, for funding of legal, engineering and construction costs, including the funding of infrastructure costs, construction needs, capital improvements and all efficiency and capability upgrades at the City of Warren, Ohio Water Filtration Plant, new pump station, interconnection in the City of Warren, Ohio, new waterline, and any other related improvements needed for completion of said project.

Section 2: That any such agreement as provided for in Section 1. of this Ordinance shall be in substantial compliance and conformity with all laws of the State of Ohio.

Section 3: Funding of all monies paid to the City of Warren by Clean Energy Future-Trumbull, LLC shall be deposited in Account No. 702-405-560-200, and shall be held for specific purposes as per the contract between the City of Warren and Clean Energy Future-Trumbull, LLC.

Section 4: 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 the integrity of the City of Warren's public water supply, treatment and distribution system may be more fully insured at the earliest possible time and without undue delay. WHEREFORE, this Ordinance shall take go into immediate effect.

Passed in Council this 25TH day of September, 2019.

SIGNED:

James Crocker
PRESIDENT OF COUNCIL

ATTEST:

Brenda Smith
CLERK

FILED WITH THE MAYOR:

9-25-19

DATE APPROVED:

9-25-19

Will D. L.
MAYOR, CITY OF WARREN, OHIO