

DRAFT 3/13/15

ORDINANCE NO. 15-22
INTRODUCED BY: Mayor Sutherland

Postponed Indefinitely 5-16-15

AN ORDINANCE
**AUTHORIZING THE MAYOR TO ENTER INTO A LETTER AGREEMENT
WITH THE CITY OF CLEVELAND, OHIO, WHICH PROVIDES
ADDITIONAL TERMS AND CONDITIONS TO THE WATER SERVICE
AGREEMENT WITH THE CITY OF CLEVELAND**

WHEREAS, the City of Bay Village and the City of Cleveland have entered into a Water Service Agreement, an Asset Transfer Agreement, and a Joint Development Zone Agreement through Ordinance No. 15-___; and

WHEREAS, the parties have agreed to additional terms and conditions which are outside the Water Service Agreement and shall be binding and not be in conflict with the provisions of the Water Service Agreement and specifically Section 26.02 of said Agreement as agreed by the parties;

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. The Letter Agreement dated _____, 2015 and the letter received from the City of Cleveland dated November 17, 2014 shall constitute a binding contract and shall be in addition to the Agreement entered into by the parties which is incorporated herein and on file with the City of Bay Village.

SECTION 2. The City of Cleveland will pay the sum of 1.2 million dollars for use, as the City of Bay Village determines for replacement of water lines for projects for a minimum term of seven (7) years or as agreed by the parties as set forth in the Letter Agreement dated _____, 2015.

SECTION 3. That the Mayor be and she is hereby authorized to enter into the Letter Agreement with the City of Cleveland and its Division of Water for the provision and supply of water distribution system in the City of Bay Village, Ohio by the City of Cleveland (Division of Water).

SECTION 4. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 5: That this ordinance shall be in full force and take effect at the earliest time permitted by law.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

3/13/2015 II