

RESOLUTION NO. R23-39

A RESOLUTION BY THE TROTWOOD CITY COUNCIL DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF TROTWOOD ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS SANITARY SEWER FUND, FUND 602, FOR THE WHISPERING CROSSOVER SANITARY REPLACEMENT PROJECT, PROJECT NUMBER CD36Y AND CD37Y, WITH THE PROCEEDS OF TAX-EXEMPT DEBT OF THE STATE OF OHIO.

WHEREAS, during their Regular Meeting held March 6, 2023, the Trotwood City Council authorized the City Manager to enter into a contract with J & J Schlaegel, Inc. (the “Contractor”) to replace the sanitary sewer line at Whispering Crossover (the “Whispering Crossover Sanitary Sewer Replacement” or the “Project”), Resolution No. R23-13; and

WHEREAS, the Ohio Public Works Commission committed to provide funding in the total amount of \$500,000.00 for the sole and express purpose of financing or reimbursing a portion of the cost of the Project; and

WHEREAS, the City has agreed to pay the Contractor directly from its Sanitary Sewer Fund, Fund 602, with the intent and reasonable expectation to be reimbursed from the State of Ohio; and

WHEREAS, so to not delay payment to the Contractor, the City will process payment to the Contractor, with the reasonable expectation that the State of Ohio will reimburse the City’s Sanitary Sewer Fund, Fund 602, in the amount of \$500,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:

SECTION I: The Trotwood City Council reasonably expects the City of Trotwood to be reimbursed for the Whispering Crossover Sanitary Replacement Project as set forth in Appendix A of the Project Agreement with the proceeds of bonds to be issued by the State of Ohio.

SECTION II: The Maximum aggregate principal amount of bonds, other than for costs of issuance, expected to be issued by the State of Ohio for reimbursement to the local subdivision is \$500,000.00.

SECTION III:

The Fiscal Officer of the City of Trotwood is hereby directed to file a copy of this Resolution with the City of Trotwood for the inspection and examination of all persons interested therein and to deliver a copy of this Resolution to the Ohio Public Works Commission.

SECTION IV:

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including but not limited to Section 121.22 of the Ohio Revised Code.

SECTION V:

This Resolution shall take effect and be in force from and after the date of its passage.

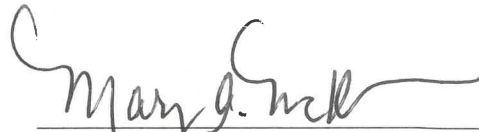
Passed on this 3rd day of July, 2023.

ATTEST:

APPROVED:



KARA B. LANDIS
CLERK OF COUNCIL



MARY A. MCDONALD
MAYOR



YVETTE F. PAGE
VICE-MAYOR

CITY OF TROTWOOD
3035 OLIVE ROAD
TROTWOOD, OHIO 45426

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Resolution No. R23-39 adopted by the Trotwood City Council at a regular scheduled meeting held on the 3rd day of July, 2023, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

KARA B. LANDIS
CLERK OF COUNCIL