

RESOLUTION NO. 100 (22-23)

A Resolution to authorize the Mayor, or the Director of Public Safety and Service for the City of Marietta, Ohio, to apply for, accept, and enter into a Cooperative Loan Agreement on behalf of the City of Marietta, Ohio, with the Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance (DEFA), through the Ohio EPA Drinking Water Assistance Fund (DWAF), for a principal forgiveness loan which will be administered through a Water Supply Revolving Loan Account (SWRLA), with said loan needed immediately in order to secure lead service line investigations, so as to ensure safe drinking water, and due to the present emergency, to waive the second and third readings of said Resolution and to pass said Resolution on its first reading, because the City has been approved for a principal forgiveness loan in an amount not to exceed, \$400,000.00, however, legislation must be passed on or before May 18, 2023, so the loan application can be submitted by the May 19, 2023 deadline, thus declaring an EMERGENCY.

WHEREAS, the inventorying of all lead service lines is required by the United States Environmental Protection Agency (EPA) by October 16, 2024; and

WHEREAS, on December 28, 2022, the City of Marietta, Ohio was awarded Four Hundred Thousand Dollars of principal forgiveness funding for Lead Service Line Investigations through the Ohio EPA Drinking Water Assistance Fund (DWAF); and

WHEREAS, the deadline for submitting the loan application for the funding needed for the City of Marietta's Water Lead Service Lines Investigations Project, is May 19, 2023; and

WHEREAS, the Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance (DEFA), requires the governing authority to pass legislation allowing for the application to be made for the securing of loan funds;

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and allowing the City to execute a loan agreement; and designate a dedicated repayment source; and

WHEREAS, due to delays in filling the Assistant City Engineer position and the Assistant Water Treatment Superintendent position, the consultant selection, bidding, and loan application required prior to May 1, 2023 were not completed; and

WHEREAS, the funding application must now be submitted by May 19, 2023 for the project to be considered for the June 2023 list of projects to be funded, or the principal forgiveness and the zero percent interest credit may be lost; now therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARIETTA, OHIO:

- Section 1: That the Mayor, or the Director of Public Safety and Service for the City of Marietta, Ohio, is hereby authorized to apply for, accept, and enter into a Cooperative Loan Agreement on behalf of the City of Marietta, Ohio, with the Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance (DEFA), through the Ohio EPA Drinking Water Assistance Fund (DWAF), for a principal forgiveness loan which will be administered through a Water Supply Revolving Loan Account (SWRLA), and to execute any and all additional documents necessary to secure the loan, according to the terms and conditions of the loan application attached hereto as Exhibit "A", which terms and conditions are hereby adopted and approved.
- Section 2: That the dedicated source of repayment will be the Water Fund.
- Section 3: That it is found that said loan funds are needed immediately in order to secure lead service line investigations needed to ensure safe drinking water.

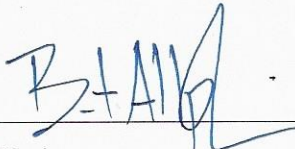
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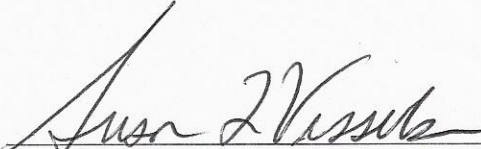
Section 4: That due to the fact that legislation must be passed immediately, in order to submit the loan application on or before the May 19, 2023 deadline, Council agrees to waive the second and third readings of this Resolution and to pass said Resolution on its first reading, so the City does not lose the principal forgiveness loan that it was approved for, in an amount not to exceed, \$400,000.00.

Section 5: That this Resolution shall be and is hereby declared to be an EMERGENCY measure necessary for the immediate preservation of the public peace, health and safety of the city of Marietta, Ohio, and for the further reason that the Marietta City Lead Service Lines project in the City of Marietta, Ohio, is dependent upon financial means and the funds in question are limited and will be lost if the loan application is not presented by May 19, 2023. WHEREFORE, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

Introduced by the Water, Sewer & Sanitation Committee, Bret Allphin, Chairman.


Chairman

Passed this 18th day of May, 2023.


President of Council

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ATTEST:

Michelle Newbanks
Clerk of Council

Approved this 18th day of May, 2023.


Mayor

First Reading May 18, 2023

Second Reading Suspended

Third Reading Suspended