

## **EMERGENCY**

**CFG**

**-2024**

**AUTHORIZING** the City Manager to execute a Sixth Amendment to the Warren County Water Area Contract between the City of Cincinnati and the Board of County Commissioners of Warren County, Ohio to modify the area in the original agreement to be served by the City.

WHEREAS, the City of Cincinnati (“City”) and the Board of County Commissioners of Warren County, Ohio (“County”) entered into a Warren County Water Area Contract (as amended, “Water Contract”), dated February 17, 1995, providing for the City to supply surplus water within certain portions of Warren County; and

WHEREAS, the City and the County entered into the First Amendment to the Warren County Water Area Contract on December 12, 1996, to define the Wholesale Water Area in Warren County to be the entire county; and

WHEREAS, the City and the County entered into the Second Amendment to the Warren County Water Area Contract on June 17, 1997, to provide for improvements, including the construction of a transmission main to increase the supply of water to Warren County; and

WHEREAS, the City and the County entered into the Third Amendment to the Warren County Water Area Contract on February 15, 2017, to clarify the retail service boundary along Fields Ertel Road at the Cross Creek Estates residential development; and

WHEREAS, the City and the County Entered into the Fourth Amendment to the Warren County Water Area Contract on December 23, 2020, to add certain properties in the unincorporated area of Warren County to the “Warren County Retail Water Area,” as defined in the Water Contract, so that they could be served by the City’s Greater Cincinnati Water Works (“GCWW”) under the terms of the Water Contract; and

WHEREAS, the City and the County entered into the Fifth Amendment to the Warren County Water Area Contract on December 21, 2022, to add certain properties in the unincorporated area of Warren County to the “Warren County Retail Water Area,” as defined in the Water Contract, so that they could be served by GCWW under the terms of the Water Contract; and

WHEREAS, certain properties in the unincorporated area of Warren County (listed in Exhibit A hereto) (“Properties”) do not currently have public water service and do not have convenient access to a Warren County Water main; and

WHEREAS, GCWW has water mains in the vicinity of the Properties and is able to provide retail water service to the Properties; and

WHEREAS, the City and the County desire to enter into a Sixth Amendment to the Warren County Water Area Contract in a form substantially similar to Exhibit A hereto, in order to add the Properties to the “Warren County Retail Water Area” as defined in the Water Contract so that they may be served by the City under the Water Contract’s terms; and

WHEREAS, pursuant to section 6(D) of the Retail Water Service Agreement between the City and the City of Mason, Ohio, the City of Mason has consented to the use of a portion of the Mason Water Utility to provide service to the Properties in the unincorporated area of Warren County as described in Exhibit A; now, therefore,

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

Section 1. That the City Manager is authorized to execute the Sixth Amendment to the Warren County Water Area Contract between the City of Cincinnati and the Board of County Commissioners of Warren County, Ohio, in substantially the form of the attached Exhibit A, to modify the area in the original agreement to be served by the City.

Section 2. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the terms of the Warren County Water Area Contract as amended.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 4 of the Charter, be effective immediately. The reason for the emergency is the immediate need to execute the Amendment so that the City may begin providing water to the properties added to the Warren County Retail Water Area at the earliest possible time.

Passed: \_\_\_\_\_, 2024

\_\_\_\_\_  
Aftab Pureval, Mayor

Attest: \_\_\_\_\_  
Clerk