

SECOND AMENDMENT TO AGREEMENT
(provision of retail water service)

THIS SECOND AMENDMENT to AGREEMENT (“**Second Amendment**”) is made and entered into effective on the Effective Date (as defined on the signature page hereof) by and between the CITY OF CINCINNATI, OHIO, an Ohio municipal corporation (“**Cincinnati**”), on behalf of its Greater Cincinnati Water Works located at 4747 Spring Grove Avenue, Cincinnati, Ohio 45232, and the VILLAGE OF WOODLAWN, OHIO, an Ohio municipal corporation (“**Woodlawn**”) located at 10141 Woodlawn Boulevard, Cincinnati, Ohio 45215.

RECITALS

- A. Cincinnati and Woodlawn are parties to a certain *Agreement* dated October 12, 1987 as amended by a *First Amendment to Agreement* dated December 21, 2017 (as amended, the “**Agreement**”) for Cincinnati to provide retail water service to Woodlawn.
- B. The Agreement is currently set to expire on December 31, 2020.
- C. Cincinnati and Woodlawn desire to extend the term of the Agreement for an additional year until December 31, 2021. The parties intend to negotiate the terms of a new Agreement during the additional year.
- D. Execution of this Second Amendment was authorized by Cincinnati City Council Ordinance No. _____ - 2020, passed on _____, 2020 and by Woodlawn Village Council by Ordinance No. _____ -2020, passed on _____, 2020.

NOW, THEREFORE, the parties amend the Agreement as follows:

- 1. **Term.** The term of the Agreement is hereby extended for an additional year expiring December 31, 2021.
- 2. **Ratification.** All terms of the Agreement not amended hereby or not inconsistent herewith shall remain in full force and effect and by this reference are incorporated herein as if fully rewritten herein, and the Agreement, as amended hereby, is hereby ratified by the parties. This Second Amendment may be executed electronically, and the parties shall have the right to transmit signature pages to each other electronically in lieu of exchanging original pages.

Executed by the parties on the dates indicated below their respective signatures, effective as of the later of such dates (the “**Effective Date**”).

VILLAGE OF WOODLAWN

By: _____

Brian Poole, Mayor

Date: _____, 2020

APPROVED AS TO FORM BY:

Woodlawn Law Director

RECOMMENDED BY:

Jerry Thamann, Municipal Manager

[CINCINNATI SIGNATURE PAGE FOLLOWS]

CITY OF CINCINNATI

By: _____
Paula Boggs Muething, City Manager

Date: _____, 2020

**RECOMMENDED BY GREATER CINCINNATI
WATER WORKS:**

Cathy B. Bailey, Director

APPROVED AS TO FORM BY:

Assistant City Solicitor

APPROVED BY CITY PURCHASING:

Bobbi Hageman, Chief Procurement Officer

APPROVED BY DEPARTMENT OF ECONOMIC INCLUSION:

Jennifer Mackenzie, Interim Director

CERTIFICATION OF FUNDS:

Date: _____
Funding: _____
Amount: _____

Karen Alder, Finance Director