

City of Cincinnati

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An Ordinance No. 71 - 2021

AUTHORIZING the City Manager to execute a *Second Amendment to Water Service Agreement* and a *First Amendment to Interlocal Cooperative Agreement*, each among the City of Cincinnati, Boone-Florence Water Commission, the Boone County Water District, and the City of Florence, Kentucky, to extend the terms of the existing agreements by five years to 2033.

WHEREAS, Boone-Florence Water Commission (“BFWC”), the Boone County Water District, and the City of Florence, Kentucky (collectively, the “Kentucky Parties”) and the City of Cincinnati (the “City”), are parties to the following agreements as to the construction and operation, and maintenance of water transmission facilities to deliver treated water from the City’s water works under the Ohio River and for the City to provide wholesale water service to the Kentucky Parties: (i) a *Water Service Agreement* dated March 2, 1999, as subsequently amended by a *First Amendment to the Water Service Agreement* dated August 1, 2008 (as amended, the “Water Agreement”) and (ii) an *Interlocal Cooperative Agreement* dated effective March 2, 1999 (“Interlocal Agreement”); and

WHEREAS, the Interlocal Agreement and the Water Agreement each currently provide for an expiration date of March 2, 2028; and

WHEREAS, the parties desire to amend the Interlocal Agreement and the Water Agreement in order to extend their terms by five years to expire in 2033 in order to allow for BFWC to complete a long-term water visioning planning process to address and plan for the long-term water needs of its constituents and to determine any longer term water infrastructure needs that may need to be incorporated into future water service arrangements; now, therefore,

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

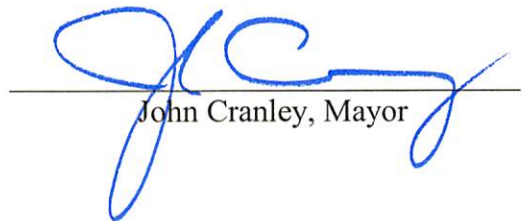
Section 1. That the City Manager is hereby authorized to execute a *Second Amendment to Water Service Agreement* and a *First Amendment to Interlocal Cooperative Agreement* among the City of Cincinnati, Boone-Florence Water Commission, the Boone County Water District, and the City of Florence, Kentucky in substantially the form of the documents attached as Exhibit A hereto (the “Amendments”) to extend the terms of the existing *Water Service Agreement* and *Interlocal Cooperative Agreement* by five years to 2033.

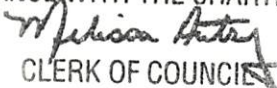
Section 2. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the terms of the *Water Service Agreement* and *Interlocal Cooperative Agreement* as amended.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: March 10, 2021

Attest: 
Clerk


John Cranley, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO 71-2021
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 3-23-2021

CLERK OF COUNCIL