

EMERGENCY

City of Cincinnati

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An Ordinance No. 389 - 2020

AUTHORIZING the City Manager to execute a *Fourth 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 (the “City”) and the Board of County Commissioners of Warren County, Ohio (the “County”) entered into a *Warren County Water Area Contract* (as amended, the “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, certain properties in the unincorporated area of Warren County (listed in Exhibit A hereto) (the “Properties”) do not currently have public water service and do not have convenient access to a Warren County Water main; and

WHEREAS, City’s Greater Cincinnati Water Works (GCWW) has water mains in the vicinity of the Properties and is able to provide retail water service to the Properties; and

WHEREAS, the County and Cincinnati desire to enter into a *Fourth 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, 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; now, therefore,

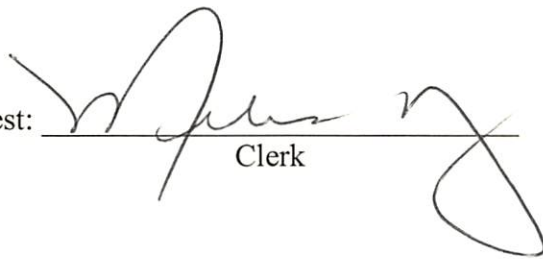
BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

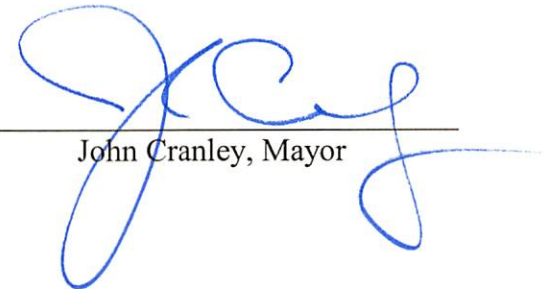
Section 1. That the City Manager is hereby authorized to execute the *Fourth Amendment to the Warren County Water Area Contract* between the City of Cincinnati and the Board of County Commissioners of Warren County, Ohio in substantially the form of the attached Exhibit A hereto to modify the area in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

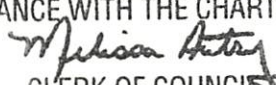
Section 2. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the terms of the *Warren County Water Area Contract* as amended.

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 to the contract so that the City may begin providing water service to the properties added to City's Warren County Retail Water Area at the earliest possible time.

Passed: December 16, 2020

Attest: 
Clerk


John Cranley, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO 389.2020
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 12.29.2020

CLERK OF COUNCIL