

CITY OF FRANKLIN, OHIO
RESOLUTION 2019-18

**AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT TO THE FIRST
AMENDMENT TO THE AMENDED AND RESTATED SERVICE AGREEMENT WITH VEOLIA
WATER FOR THE OPERATION OF THE FRANKLIN AREA WASTEWATER TREATMENT PLANT**

WHEREAS, this Council, by Resolution 1994-94, adopted on September 19, 1994, and Resolution 1995-70, adopted on July 17, 1995, and authorized an Intergovernmental Agreement between the City of Franklin, the City of Germantown and the Municipality of Carlisle to create the Franklin Area Wastewater Treatment Corporation to manage the Franklin Area Wastewater Treatment Plant;

WHEREAS, this Council, by Resolution 1994-59, adopted on June 20, 1994, and Resolution 1995-94, adopted on October 16, 1995, authorized the City's participation in a Service Agreement with Veolia Water for the operation of the Franklin Area Wastewater Treatment Plant. Said Service Agreement began on July 21, 1995 and ran for a 20 year term;

WHEREAS, the Franklin Area Wastewater Treatment Corporation, on behalf of the City of Franklin, the City of Germantown and the Municipality of Carlisle, negotiated a new Amended and Restated Service Agreement with Veolia Water;

WHEREAS, the Council, by Resolution 2015-42, adopted on August 15, 2015, executed the amended and restated Service Agreement with Veolia Water for the operation of the Franklin Area Wastewater Treatment Plant;

WHEREAS, the first amendment to the Amended and Restated Service Agreement was adopted by Resolution 2018-22, on November 19, 2018;

WHEREAS, this is an amendment to the first amendment to the Amended and Restated Service Agreement adopted by Resolution 2018-62, adopted on November 19, 2018; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of members present concurring, that:

Section 1. The City Manager is hereby authorized to execute the amendment to the first amendment Amended and Restated Service Agreement dated November 19, 2018 between the City of Franklin, the City of Germantown, the Municipality of Carlisle, the County of Warren and Veolia Water North America-Central, LLC, on behalf of the City of Franklin.

Section 2. The City Manager is hereby also authorized to execute any other documents as may be necessary to effectuate the terms of said Amendment to the Amended and Restated Service Agreement.

Section 3. It is hereby found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 4. This Resolution shall become effective immediately upon its passage.

ADOPTED: March 18, 2019

ATTEST: Jane McGee
Jane McGee, Clerk of Council

APPROVED: Todd Hall
Todd Hall, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Resolution 2019-18 passed by that body on March 18, 2019.

Jane McGee, Jane McGee, Clerk of Council

IN WITNESS WHEREOF, the Parties hereto, acting through their duly authorized representative, have executed this First Amendment to the Amended and Restated Service Agreement on the date set below their signatures.

CITY OF FRANKLIN

VEOLIA WATER NORTH AMERICA-CENTRAL, LLC

By: *Sonny Lewis*
Title: *City Manager*
Date: *3/18/19*

By: _____
Title: _____
Date: _____

MUNICIPALITY OF CARLISLE

FRANKLIN REGIONAL
WASTEWATER TREATMENT
CORPORATION

By: _____
Title: _____
Date: _____

By: _____
Title: _____
Date: _____

CITY OF GERMANTOWN

By: _____
Title: _____
Date: _____