

Sponsor Biggs / Colby

RESOLUTION NO. 28-21

A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS FOR PAYMENT TO OHIO DEPARTMENT OF TRANSPORTATION PURSUANT TO A "THEN AND NOW" CERTIFICATE IN THE AMOUNT OF \$118,800 AND DECLARING AN EMERGENCY.

WHEREAS, the legislative authority of the City of Jackson, Ohio, pursuant to Ohio Revised Code Section 5705.41(D), finds that sufficient sums existed then and do so now exist for the payment of the expense in the amount of \$118,800 to the Treasurer of the State of Ohio, Ohio Department of Transportation as requested by the issuance of a "then and now" certificate from the City Auditor, as attached hereto; and

WHEREAS, legislative authority of the City of Jackson, Ohio, now desires to approve the "then and now" certificate.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

Section 1. The Jackson City Council hereby authorizes and approves the expenditure as set forth in the Auditor's Certificate and the materials attached hereto and made a part hereof.

Section 2. This Resolution is hereby declared to be an emergency Resolution necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, and for the further reason that the Jackson City Council must act promptly in approving the Then and Now Certificate to allow for prompt payment and the avoidance of additional charges. Therefore, this Resolution shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

Section 3. In the event this Resolution receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Resolution shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

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

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on
this 10 day of July, 2121.

David J. Folter
President of Council

ATTEST:

Cindy Kuhn
Clerk of the Legislative Authority

Approved this 10 day of July, 2121.

RANDY WAIN
Mayor

THEN AND NOW CERTIFICATE

It is hereby certified that, pursuant to Ohio Revised Code Section 5705.41(D), that at the time of the making of such contract or order and at the time of the execution of this certificate, a sufficient sum was appropriated for the purpose of such contract and in the Treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrance.

The taxing authority has thirty (30) days from the receipt of this certificate to approve for payment by resolution; otherwise this certificate becomes null and void and there is no legal liability on the part of the City or the taxing authority.

Date of Certificate: 7/6/2021

Line Item #: 228-7625-53071

PO #: 2021000965

Invoice #: 11372

Invoice Date: 6/16/21

Amount: \$118,800.00

Vendor Name: ODOT Treasurer of State of Ohio

Resolution #: _____

Date & Page in
City Council
Minutes: _____

REASON: Delay of project start date and variance of cap limit and estimated project cost.

Traci Plants
Traci Plants, Projects Coordinator
Requested by & Title

7-6-21
Date

City Auditor

Date Certified

