

Item 9-2

Speakers:

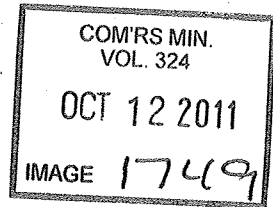
Barbara Holwadel

Jeff Capell

Chris Finney

Jim Fitch

Wayne Lippert



Mr. Portune thought the point Mr. Capell raised suggesting the Board express support for all utility providers take the same stance was a good one. He added that during the budget process the Board will need to scrutinize the legislation and budget numbers to be certain no costs associated with the street car project are included. Mr. Portune also noted that he sent a letter back in March to the Mayor and Vice Mayor requesting they remove any funding for MSD to move utility lines, etc., for the street car project and asked if the resolution was prepared in a way that it restricts only streetcar related expenditures. Mr. Monzel indicated the Prosecutor recommended the language contained in the resolution.

There being no further comments/questions from the Board...

On motion of Mr. Monzel, seconded by Mr. Hartmann the following resolution

9-2
RESOLUTION TO PROHIBIT METROPOLITAN SEWER DISTRICT RATEPAYERS
FROM SUBSIDIZING SEWER LINE UPGRADES RESULTING FROM
CINCINNATI STREETCAR INSTALLATION WORK

WHEREAS, there exists a 1968 agreement between the City of Cincinnati and Hamilton County to operate and manage the Metropolitan Sewer District (MSD), and

WHEREAS, under that agreement, the city provides a department and employees to manage and operate the MSD and to provide customer services on a daily basis, and

WHEREAS, even though the working agreement designates the City of Cincinnati as the departmental service provider, the working agreement specifies that Hamilton County still maintains overall control of MSD regulations and capital improvement projects, and

WHEREAS, a 1996 consent decree signed by both Hamilton County and the City of Cincinnati with the U.S. Environmental Protection Agency, the Ohio Environmental Protection Agency and other governmental agencies details a MSD upgrade to address system-wide sewer overflows deficiencies, and

WHEREAS, this consent decree includes language that specifies that MSD users are wholly responsible to pay for these system-wide upgrades.

THEREFORE, BE IT RESOLVED, that rate payers are only to pay for system-wide upgrades and capital improvements that are mandated through the 1996 consent decree and the asset management capital plan, and

BE IT FURTHER RESOLVED, that MSD has been working diligently to develop upgrade plans that are specifically required per the consent decree and the asset management capital plan, and

BE IT FURTHER RESOLVED, that MSD has identified costs to be borne by ratepayers that only cover those improvements that are a result of the consent decree and the asset management capital plan, and

BE IT FURTHER RESOLVED, that MSD may not spend any funds, from any source whatsoever, on planning, design, or construction of any improvements or modifications to its facilities, or any other facilities to accommodate construction of the city's streetcar system.

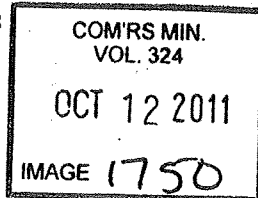
BE IT FURTHER RESOLVED, that any MSD work is related to streetcar construction be borne strictly by the City of Cincinnati's budget mechanisms, and that MSD management provides details regarding those costs before any work is initiated.

ADOPTED at a regularly adjourned meeting of the Board of County Commissioners of Hamilton County, Ohio this 12th day of October, 2011.

Mr. Hartmann YES

Mr. Monzel YES

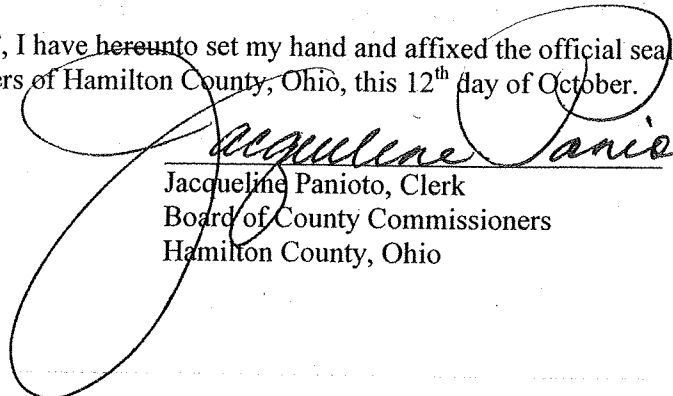
Mr. Portune YES



CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by the Board of County Commissioners in session the 12th day of October

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Office of County Commissioners of Hamilton County, Ohio, this 12th day of October.



Handwritten signature of Jacqueline Panioto in cursive script, enclosed in a large, loopy oval.

Jacqueline Panioto, Clerk
Board of County Commissioners
Hamilton County, Ohio

