

RESOLUTION NO. 2013 - ____

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO A NOVATION AGREEMENT WITH THE U. S. ARMY CORPS OF ENGINEERS TO PROVIDE FOR A CHANGE OF SPONSOR FROM THE CITY OF LORAIN TO THE LORAIN PORT AUTHORITY AND MODIFYING THE AGREEMENT ACCORDINGLY, SUBJECT TO LEGAL COUNSEL APPROVAL.

WHEREAS, the Lorain Port Authority through Resolution No. 2013-20 passed April 13, 2010 authorized the Executive Director to enter into an amended Local Cooperative Agreement (LCA) with the U. S. Army Corps of Engineers and the City of Lorain; and

WHEREAS, the Lorain Port Authority through Resolution No. 2010-21 passed April 13, 2010, authorized a Transfer Agreement with the U. S. Army Corps of Engineers for a portion of the confined disposal site; and

WHEREAS, through Resolution No. 2010-26 passed May 11, 2010, the Lorain Port Authority assumed the responsibilities and conditions of an Agreement between the U. S. Army Corps of Engineers and the City of Lorain relative to the turn-over of a portion of the Confined Disposal Site (CDF); and

WHEREAS, the U. S. Army Corps of Engineers has now proposed an amendment to the project Agreement to change the sponsor for the City of Lorain Confined Disposal Site from the City of Lorain to the Lorain Port Authority as a prelude to an additional turn-over of area by the U. S. Army Corps of Engineers..

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Lorain Port Authority:

SECTION I. That the Executive Director or his designee is hereby authorized to enter into an Amended Project Agreement for the Lorain Confined Disposal Site to provide for a change of sponsorship from the City of Lorain to the Lorain Port Authority..

SECTION II. That the Lorain Port Authority accepts all terms and conditions associated with said Agreement.

SECTION IV. It is found and determined that all formal proceedings and actions of this Board concerning and relating to the passage of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22, of the Ohio Revised Code.

Ayes:

Nays:

Abstain:

Adopted:

Carl Nielsen, Chairman

Richard Novak, Executive Director