



# Rochester Hills

## Master Report

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**File Number: 2005-0154**

**File Number:** 2005-0154      **File Type:** Agreement      **Status:** To Council  
**Version:** 1      **Reference:**      **Controlling Body:** City Council  
**Requester:** DPS/Engineering      **Cost:** \$5,913,000.00      **Introduced:** 02/14/2005  
**File Name:** OCDC Water and Sewer Extension No. 5A Project Contract      **Final Action:**

**Title:** Oakland County Water Supply and Sewage Disposal Systems for Rochester Hills - Extension No. 5A

**Notes:** Oakland County Drain Commission  
One Public Works Dr.  
Waterford, MI 48328

**Code Sections:**

**Agenda Date:** 04/20/2005

**Indexes:** Agreements, Bonds, OCDC, Sanitary Sewer, Sewer Construction, Water

**Agenda Number:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Agenda Summary.pdf, Contract.pdf, BLOOMFIELD-#669345-v1-Notice\_of\_Adoption\_of\_Resolution[1].pdf

**Enactment Number:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File 2005-0154

..Title  
Oakland County Water Supply and Sewage Disposal Systems for Rochester Hills - Extension No. 5A

..Body  
At a regular meeting of the City Council of the City of Rochester Hills, Oakland County, Michigan (the "City Council"), held on the 20th day of April, 2005.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_

The Clerk presented to the City Council a form of contract between the County of Oakland (the "County") and the City of Rochester Hills (the "City"), relative to acquisition, construction and financing of the Oakland County Water Supply and Sewage Disposal Systems for Rochester Hills - Extension No. 5A Project (the "Project"), and the plans, estimates of the cost and period of usefulness thereof as prepared and submitted by the consulting engineers. The Clerk also presented, for publication if the contract is approved, a form of notice.

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

BE IT RESOLVED by the City Council of the City of Rochester Hills, Oakland County, Michigan, that:

1. The City Council hereby approves the contract between the County and the City providing for the acquisition and construction of the Oakland County Water Supply and Sewage Disposal Systems for Rochester Hills - Extension No. 5A Project (the "Contract"); providing for the payment of the cost thereof by the City to the County in annual installments with interest and expenses; providing for the financing of all or part of the cost by the issuance of County bonds secured by the obligation of the City and payable primarily from the annual installments to be paid by the City to the County; providing for the pledging of the full faith and credit and the limited taxing power of the City for the making of such payments; and providing for other matters relating to the Project and the acquisition, construction, financing and operation thereof, all under and pursuant to Act No. 342, Public Acts of Michigan, 1939, as amended.

2. The City Council also hereby approves the plans for the Project, and the estimates of the cost and period of usefulness thereof, as prepared and submitted by the consulting engineers.

3. The Mayor and the Clerk are authorized and directed to execute and deliver the contract for and on behalf of the City in such number of counterparts as may be desirable.

4. The City Clerk is authorized and directed to publish the notice hereunto attached in the *Rochester Eccentric* and so as to be prominently displayed therein. It is found and declared that said newspaper is a qualified newspaper of general circulation in the City and that said notice contains information which is sufficient to adequately inform all interested persons as to the nature and extent of the full faith and credit obligations of the City under the Contract.

5. A copy of the Contract as presented to the City Council and herein approved and authorized to be executed and delivered shall be attached to the minutes of this meeting and made a part thereof and shall be placed on file with the City Clerk and made available for examination by any interested person during normal business hours.

6. The Project shall consist of the improvements described in Exhibit A to the Contract. The maximum amount of obligations expected to be issued for the Project is \$5,913,000. The City hereby declares that it expects the County to issue bonds in one or more series to finance all or part of the cost of the Project and hereby declares that it reasonably expects to reimburse advances of the City to the Project as anticipated by this resolution.

7. The City Clerk is authorized to approve the circulation of a preliminary and final official statement for any series of County bonds, to cause the preparation of those portions of such preliminary and final official statement that pertain to the City, and to do all other things necessary for compliance with Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended (the "Rule"). The City Clerk is authorized to execute and deliver such certificates and to do all other things necessary to effectuate the sale and delivery of any County bonds.

8. The City Clerk is authorized to execute a certificate of the City, constituting an undertaking to provide ongoing disclosure about the City for the benefit of the holders of any County bonds as required under paragraph (b)(5) of the Rule, and amendments to such certificate from time to time in accordance with the terms of the certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate.

RESOLUTION DECLARED ADOPTED.

YEAS:

NAYS:

ABSTENTIONS:

STATE OF MICHIGAN     )  
  )ss  
COUNTY OF OAKLAND    )

I, the undersigned City Clerk of the City of Rochester Hills, Oakland County, Michigan, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a regular meeting duly called and held on the 20th day of April, 2005, the original of which resolution is on file in my office.

City Clerk