

RESOLUTION # ²⁷~~28~~-94

A RESOLUTION AUTHORIZING THE FILING OF A DECLARATORY JUDGMENT ACTION AGAINST PROTECS, INC. TO DETERMINE THE VALIDITY OF THE EXTENSION AND AMENDMENT OF CONTRACT BETWEEN PROTECS, INC. AND THE CITY OF BUFFALO REGARDING WASTE TREATMENT PLANT OPERATIONS AND MAINTENANCE SERVICES DATED AS OF OCTOBER 1, 1993.

WHEREAS: The City Council of the City of Buffalo, Iowa, believes that the extension and amendment referred to above may not have been validly authorized by the City of Buffalo, and

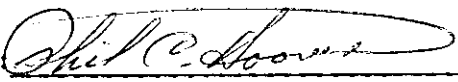
WHEREAS: The City Council believes it is in the best interest of the City of Buffalo to seek a court determination as to the validity of the above-referenced contract extension.

IT IS THEREFORE RESOLVED, that the City of Buffalo shall file a declaratory judgment action in the Iowa District Court for Scott County seeking a determination by the Court as to the validity of the contract referred to above.


IT IS FURTHER RESOLVED, that the City shall engage the law firm of Lane & Waterman for the purpose of filing the declaratory judgment action and agrees to pay Lane & Waterman its normal hourly fees for legal services provided plus expenses.

Adopted by the City Council of the City of Buffalo, IA this 09 day of May, 1994.

Approved and signed by the Mayor of Buffalo, IA this 09 day of May, 1994.

Signed 

Phil C. Hoover,
Mayor of Buffalo, IA

Attest: 

Carol A. Bernauer,
City Clerk of Buffalo, IA