

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0109

Sponsored by: County Executive FitzGerald/Department of Public Works/ Division of County Engineer and Councilmembers Germana, Jones and Connally	A Resolution establishing County Sewer District No. 3A, located in the City of Shaker Heights, in accordance with Ohio Revised Code Sections 6117.01 and 6117.03, effective 7/1/2012; authorizing a revenue generating agreement with said municipality for maintenance of storm sewerage systems located in said sewer district for the period 7/1/2012 - 12/31/2012; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer recommends the establishment of Cuyahoga County Sewer District No. 3A, located in the City of Shaker Heights, in accordance with Ohio Revised Code Sections 6117.01 and 6117.03, effective 7/1/2012; and,

WHEREAS, the City of Shaker Heights owns and operates certain sanitary and storm sewers, catch basins, manholes, culverts and storm water detention and retention basins located in the public right-of-way and in or along easements and any future improvements; and,

WHEREAS, the City of Shaker Heights desires to retain Cuyahoga County to perform certain services in the City of Shaker Heights to aid with the sanitary and storm sewer maintenance program as part of Cuyahoga County Sewer District No. 3A; and,

WHEREAS, in satisfaction of Ohio Revised Code Section 6117.03, on May 29, 2012, the Shaker Heights City Council enacted Ordinance No. 12-57 authorizing the City of Shaker Heights to retain the Cuyahoga County Department of Public Works to perform certain services relative to the city's sanitary and storm water sewers as part of Cuyahoga County Sewer District No. 3A in advance of the city's sanitary and storm sewer maintenance program; and,

WHEREAS, pursuant to the above establishment and authorization by Shaker Heights City Council, the County Executive/Department of Public Works/Division of County Engineer recommends the approval of a revenue generating Agreement with City of Shaker Heights for sanitary and storm sewer maintenance and repair services located in Sewer District No. 3A for the period 7/1/2012 – 12/31/2012; and,

WHEREAS, pursuant to ORC 307.15, a county may contract with any municipal corporation to render any service, on behalf of the municipal corporation; and,

WHEREAS, Cuyahoga County has agreed to provide sanitary and storm sewer maintenance and repair services for the City of Shaker Heights; and,

WHEREAS, the term of the proposed agreement is for the period 7/1/2012 – 12/31/2012 with options to renew for additional one-year terms commencing every January 1; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical sewer maintenance and repair services can be provided by Cuyahoga County for the City of Shaker Heights' sewer system.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CONTROL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Pursuant to Ohio Revised Code 6117.01 and 6117.03, the Cuyahoga County Council hereby establishes County Sewer District No. 3A, located in the City of Shaker Heights.

SECTION 2. The Cuyahoga County Council hereby approves the revenue generating Agreement with City of Shaker Heights for sanitary and storm sewer maintenance and repair services for the period 7/1/2012 – 12/31/2012, automatically renewable for additional twelve (12) month calendar year terms thereafter.

SECTION 3. The County Executive is hereby authorized to execute the agreement, and all documents consistent with this Resolution.

SECTION 4. It is necessary that this Resolution become immediately effective in order that critical sewer maintenance and repair services can be provided by Cuyahoga County for the City of Shaker Heights' sewer system. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

SECTION 5. It is found and determined that all formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board of Control, and that all deliberations of this Board that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

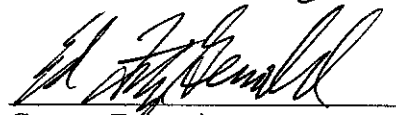
On a motion by Mr. Jones, seconded by Mr. Germana, the foregoing Resolution was duly adopted.

Yeas: Schron, Conwell, Jones, Simon, Greenspan, Miller, Brady, Germana, Gallagher and Connally

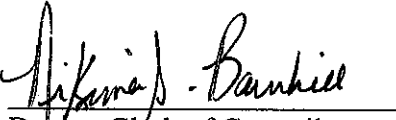
Nays: None


County Council President

6-26-12
Date


County Executive

6/27/12
Date


Deputy Clerk of Council

6/26/2012
Date

First Reading/Referred to Committee: June 12, 2012
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested: June 21, 2012

Additional Sponsorship Requested on the Floor: June 26, 2012

Journal CC006
June 26, 2012