

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0036

<b>Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	A <b>Resolution</b> declaring that public convenience and welfare requires replacement of Boston Road Culvert 07.74 in the City of Broadview Heights; total estimated construction cost \$780,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive FitzGerald/Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires replacement of Boston Road Culvert 07.74 in the City of Broadview Heights; and

WHEREAS, the anticipated construction cost for the replacement is \$780,000.00; and

WHEREAS, that special assessments are not to be levied nor collected to pay for any part of the County's costs of this improvement; and

WHEREAS, the design of this project will be funded 60% with the County's Road and Bridge Fund and 40% from Broadview Heights. The construction of the project will be funded 80% with the County's Road and Bridge Fund and 40% from Broadview Heights; and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure for which the County is responsible; and

WHEREAS, the location of the project is Boston Road Culvert 07.74 in the City of Broadview Heights, Council District 6; and

WHEREAS, the anticipated start date for construction of this project is 2014; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby declares that public convenience and welfare requires replacement of Boston Road Culvert 07.74 in the City of Broadview Heights.

**SECTION 2.** That special assessments are not to be levied nor collected to pay for any part of the County's cost of this improvement.

**SECTION 3.** That the County Executive is hereby authorized to enter into and execute any and all necessary agreements of cooperation and any other documents in connection with this project.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 5.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees 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.

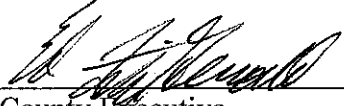
On a motion by Mr. Jones, seconded by Ms. Conwell, the foregoing Resolution was duly adopted.

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

Nays: None

  
County Council President

3-18-13  
Date

  
County Executive

3/18/13  
Date

  
Clerk of Council

3/12/2013  
Date

First Reading/Referred to Committee: February 26, 2013  
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC009  
March 12, 2013