

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0189

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> approving and confirming the 2014 sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Engineer has prepared and presented to the County Council for the County of Cuyahoga, Ohio the 2014 sewer maintenance and sewerage treatment assessments to be approved and confirmed for the sewerage improvement in County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22 and 24; and

WHEREAS, funds are necessary to pay for the operation and maintenance of the sanitary sewerage systems, including sanitary sewers, wastewater treatment plants, and pumping stations for said districts for Fiscal 2014; and

WHEREAS, the primary goal is to collect all operational expenditures from revenues collected from users of the sanitary systems; and

WHEREAS, in accordance with the Ohio Revised Code Section 6117.02, the County may levy an assessment to pay the cost and expense of the maintenance and operation of such sewerage improvements, including the disposal of sewage; 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 sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22 and 24, as prepared and filed with the Council by the County Engineer be, and the same are, hereby approved and confirmed and said assessments are hereby ordered recorded in the original assessment records of the County of Cuyahoga, Ohio for

the year 2014, to which reference is hereby made a part hereof, as fully and completely as though set forth at length and rewritten herein.

**SECTION 2.** That there be, and hereby is, levied and assessed upon the several lots and parcels of land listed and described in said report the amount set forth to be assessed by the County of Cuyahoga, Ohio, through the Department of Public Works/County Engineer, upon each of said lots and parcels of land.

**SECTION 3.** That the said assessments so made, approved and confirmed, are hereby certified to the County Fiscal Officer for collection.

**SECTION 4.** That the installments of such assessments, when collected, shall be placed to the credit of the Department of Public Works/County Engineer's fund to be used for the purposes set forth in the Resolution directing the Department to prepare such assessments.

**SECTION 5.** That the Clerk of Council be, and she is hereby, instructed to transmit a copy of this Resolution to the County Fiscal Officer and one copy to the Department of Public Works/County Engineer.

**SECTION 6.** It is necessary that this Resolution become immediately effective to comply with the Ohio Revised Code Section 6117.33, which provides that assessments for such rates must be certified on or before the second Monday in September, that being September 9, 2013. 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 7.** 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 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. Schron, seconded by Mr. Brady, the foregoing Resolution was duly adopted.

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

Nays: None

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County Council President

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Date

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County Executive

\_\_\_\_\_  
Date

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Clerk of Council

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Date

Journal CC011  
August 27, 2013