

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0206

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b></p> <p>Co-sponsored by: <b>Councilmember Germana</b></p>	<p><b>A Resolution</b> declaring that public convenience and welfare requires replacement of Eastland Road Culvert 00.53 in the City of Middleburg Heights; total estimated project cost \$420,000.00; 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.</p>
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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 the replacement of the Eastland Road Culvert 00.53 in the City of Middleburg Heights; and

WHEREAS, the anticipated construction cost for this improvement is \$420,000.00 of which \$60,000.00 is for the design work and \$360,000.00 for construction; 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, this project will be funded as follows: (a) 60% from the County's Road and Bridge Fund and 40% from the City of Middleburg Heights for the design work, and (b) 80% from the County's Road and Bridge Fund and 20% from the City of Middleburg Heights for construction, and

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

WHEREAS, this project is located at Eastland Road Culvert 00.53 in the City of Middleburg Heights, Council District 4; 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.

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

**SECTION 1.** That the Cuyahoga County Council hereby declares public convenience and welfare requires the replacement the Eastland Road Culvert 00.53 in the City of Middleburg 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 an agreement of cooperation and any other documents with the City of Middleburg Heights in connection with this project.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional 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: Miller, Brady, Germana, Gallagher, Conwell, Jones, Rogers, Simon,  
Greenspan and Connally

Nays: None

  
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County Council President

10-8-13  
Date

  
\_\_\_\_\_  
County Executive

10/8/13  
Date

  
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Clerk of Council

10/8/2013  
Date

First Reading/Referred to Committee: September 24, 2013  
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: September 24, 2013

Journal CC012  
October 8, 2013