

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0250

<p>Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer</p> <p>Co-sponsored by: Councilmember Simon</p>	<p>A Resolution authorizing a revenue generating Utility Agreement with City of Beachwood for maintenance and repair of storm sewers, sanitary sewers and waterlines located in County Sewer District Nos. 3 and 5; 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.</p>
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WHEREAS, the City of Beachwood desires to retain Cuyahoga County to perform certain services for the City of Beachwood to aid with the maintenance and repair of sanitary sewers, storm sewers, and waterlines located in Sewer District Nos. 3 and 5; 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, the County Executive/Department of Public Works/Division of County Engineer recommends approval of a revenue generating agreement with the City of Beachwood for the maintenance and repair of sanitary sewers, storm sewers, and waterlines in Sewer District Nos. 3 and 5; 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 Beachwood's sewer system.

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

SECTION 1. That the Cuyahoga County Council hereby approves the revenue generating agreement with the City of Beachwood for the maintenance and repair of sanitary sewers, storm sewers, and waterlines located in Cuyahoga County Sewer District Nos. 3 and 5.

SECTION 2. That the County Executive is authorized to execute the agreement and all documents consistent with this Resolution.

SECTION 3. 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 4. 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: Gallagher, Schron, Conwell, Jones, Rogers, Simon, Miller, Brady, Germana and Connally

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: November 12, 2013

Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested: November 20, 2013

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November 26, 2013