

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0009

Sponsored by: **County Executive FitzGerald/Department of Public Works/Division of County Engineer**

A Resolution authorizing a revenue generating Utility Agreement with City of Warrensville Heights for maintenance and repair of storm sewers, sanitary sewers and waterlines located in County Sewer District No. 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.

WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has submitted an agreement with the City of Warrensville Heights for Storm Sewer, Sanitary Sewer and Waterline Maintenance; and

WHEREAS, the primary goal of this Agreement is to set forth the responsibilities of the respective parties under the Agreement as well as establish a rate which the County will charge the City of Warrensville Heights for services; and

WHEREAS, in accordance with the provisions of 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, and

WHEREAS, there is no cost associated with this agreement; and

WHEREAS, the Agreement is effective immediately upon approval; 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 authorizes an Agreement with the City of Warrensville Heights for Storm Sewer, Sanitary Sewer and Waterline Maintenance.

SECTION 2. That the County Executive is authorized to execute an agreement with the City of Warrensville Heights and all documents consistent with this Resolution.

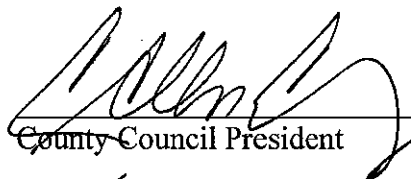
SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately 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 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.

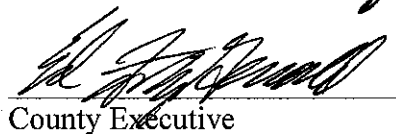
On a motion by Mr. Jones, seconded by Mr. Germana, the foregoing Resolution was duly adopted.

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

Nays: None


County Council President

1-28-14
Date


County Executive

2-3-14
Date


Clerk of Council

1/28/2014
Date

First Reading/Referred to Committee: January 14, 2014
Committee(s) Assigned: Public Works, Procurement & Contracting

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