

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0113

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution amending Resolution No. R2013-0101 dated 8/13/2013, which declared that public convenience and welfare requires widening and reconstruction of East 105 th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland, to add the State of Ohio as a party to agreements to be entered into pursuant to the Resolution and to clarify the funding arrangements in connection with the project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Cuyahoga County Council declared that public convenience and welfare requires the widening and reconstruction of East 105th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland and authorized the County Executive to enter into an agreement of cooperation with the City of Cleveland through Resolution No. R2013-0101 dated 8/13/2013; and

WHEREAS, it is necessary to amend Resolution No. R2013-0101 to add the State of Ohio as an additional party to agreements entered into pursuant to Resolution No. R2013-0101 and to clarify the funding arrangement wherein the County will now contribute its portion to the State; 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 amends Resolution No. R2013-0101 dated 8/13/2013, which declared that public convenience and welfare requires widening and reconstruction of East 105th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland as follows:

- (a) The fourth whereas clause in the Resolution is amended to read: “WHEREAS, this project will be funded as follows: (a) 80% from Federal Funds; (b) 20%

County funds, including 10% to be paid from Issue 1 Funds and 10% from the County Road and Bridge Fund, and the County contributes its portion to the State of Ohio; and”

- (b) Section 3 of the Resolution is amended to read: “That the County Executive is hereby authorized to enter into and execute any necessary agreements and documents, including any agreements of cooperation and funding arrangements, with the City of Cleveland and the State of Ohio in connection with this project.”

SECTION 2. All other provisions of Resolution No. R2013-0101 shall remain unchanged.

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. Gallagher, seconded by Mr. Germana, the foregoing Resolution was duly adopted.

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

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: April 22, 2014
Committee(s) Assigned: Public Works, Procurement & Contracting

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