

# County Council of Cuyahoga County, Ohio

## Resolution No. R2015-0192

Sponsored by: <b>County Executive Budish/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> approving Right-of-Way plans as set forth in Plat No. M-5022 for replacement of Avery Road Bridge No. 01.16 over Chippewa Creek in the City of Broadview Heights; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended approval of the Right-of-Way plans as set forth in Plat No. M-5022 for replacement of Avery Road Bridge No. 01.16 over Chippewa Creek in the City of Broadview Heights; and

WHEREAS, Resolution No. 103903, which was adopted on September 16, 2010, declared that public convenience and welfare requires replacement of Avery Road Bridge No. 01.16 over Chippewa Creek in the City of Broadview Heights; and

WHEREAS, the current estimated project cost is \$2,000,000.00, with 100% of eligible costs being funded by the County (Road and Bridge Fund); 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 Cuyahoga County Council hereby approves Right-of-Way plans as set forth in Plat No. M-5022 for replacement of Avery Road Bridge No. 01.16 over Chippewa Creek in the City of Broadview Heights.

**SECTION 2.** That the County Executive through the Department of Public Works is hereby authorized to acquire the Rights-of-Way necessary for said improvement.

**SECTION 3.** That special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement.

**SECTION 4.** That all proceedings relative to Right-of-Way Plat No. M-5022 are hereby ordered copied into the Road Record of the County by Department of Public Works and copied into all other proper records of the County by the Fiscal Officer as required by law.

**SECTION 5.** 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 6.** 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. Germana, seconded by Ms. Conwell, the foregoing Resolution was duly adopted.

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

Nays: None

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County Council President

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Date

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

\_\_\_\_\_  
Date

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Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: September 22, 2015  
Committee(s) Assigned: Public Works, Procurement & Contracting

Committee Report/Second Reading: October 13, 2015

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October 27, 2015