

# County Council of Cuyahoga County, Ohio

## Resolution No. R2016-0135

<b>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> approving and confirming the 2017 water, storm and sanitary sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 18, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.
---	--

WHEREAS, the County Engineer has prepared and presented to the County Council for the County of Cuyahoga, Ohio the 2017 water, storm and sanitary sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 18, 20, 21, 22 and 24; and

WHEREAS, funds are necessary to pay for the operation and maintenance of water lines, sewerage systems, including storm sewers, sanitary sewers, wastewater treatment plants, and pumping stations for said districts for Fiscal 2017; and

WHEREAS, the primary goal is to collect all operational expenditures from revenues collected from users of the water lines and sewerage systems; and

WHEREAS, in accordance with 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 improvements, including the disposal of sewage; 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 water, storm and sanitary sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 18, 20, 21, 22 and 24, as prepared and filed with the Council by the County Engineer be, and the same are, hereby approved and confirmed and said assessments are hereby ordered recorded in the original assessment records of the County of Cuyahoga, Ohio for the year 2017, to which reference is hereby made a part hereof, as fully and completely as though set forth at length and rewritten herein.

**SECTION 2.** That there be, and hereby is, levied and assessed upon the several lots and parcels of land listed and described in said report the amount set forth to be assessed by the County of Cuyahoga, Ohio, through the Department of Public Works/County Engineer, upon each of said lots and parcels of land.

**SECTION 3.** That the said assessments so made, approved and confirmed, are hereby certified to the County Fiscal Officer for collection.

**SECTION 4.** That the installments of such assessments, when collected, shall be placed to the credit of the Department of Public Works/County Engineer's fund to be used for the purposes set forth in the Resolution directing the Department to prepare such assessments.

**SECTION 5.** That the Clerk of Council be, and she is hereby, instructed to transmit a copy of this Resolution to the County Fiscal Officer and one copy to the Department of Public Works/County Engineer.

**SECTION 6.** It is necessary that this Resolution become immediately effective to comply with the Ohio Revised Code, Section 6117.33, which provides that assessments for such rates must be certified on or before the second Monday in September, that being September 12, 2016. 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 7.** 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 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: Germana, Gallagher, Schron, Conwell, Jones, Brown, Hairston, Greenspan, Miller and Brady

Nays: None

Don / Beatty  
County Council President

8/10/2016  
Date

Ms Bish  
County Executive

8-11-16  
Date

Jessie M. Schmitz  
Clerk of Council

8/9/2016  
Date

First Reading/Referred to Committee: July 26, 2016  
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC023  
August 9, 2016