

# County Council of Cuyahoga County, Ohio

## Resolution No. R2018-0136

<p>Sponsored by: <b>County Executive Budish/Department of Public Works/Division of County Engineer</b></p> <p>Co-sponsored by: <b>Councilmembers Conwell and Jones</b></p>	<p><b>A Resolution</b> authorizing a Construction Agreement with CSX Transportation, Inc. in the amount not-to-exceed \$842,443.00 for construction of Stage 1 of the Towpath Trail Extension from Harvard Avenue Trailhead to Steelyard Commons in the City of Cleveland and Village of Cuyahoga Heights; 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 County Executive/Department of Public Works/Division of County Engineer has recommended a Construction Agreement with CSX Transportation, Inc. in the amount not-to-exceed \$842,443.00 for construction of Stage 1 of the Towpath Trail Extension from Harvard Avenue Trailhead to Steelyard Commons in the City of Cleveland and Village of Cuyahoga Heights; and

WHEREAS, the primary purpose of this project is construction of the Towpath Trail project, Stage 1, from Harvard Avenue Trailhead to Steelyard Commons in the City of Cleveland and the Village of Cuyahoga Heights, located in Council Districts 8 and 12; and

WHEREAS, the anticipated start-completion dates are July 1, 2018 to December 31, 2019; and

WHEREAS, the project is funded as follows: (a) 80% Federal funds and (b) 20% City of Cleveland; 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 authorizes a Construction Agreement with CSX Transportation, Inc. in the amount not-to-exceed \$842,443.00 for construction of Stage 1 of the Towpath Trail Extension from Harvard Avenue Trailhead to Steelyard Commons in the City of Cleveland and Village of Cuyahoga Heights.

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

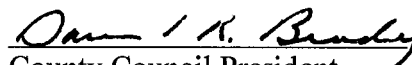
**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative 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. Tuma, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

Yeas: Miller, Tuma, Gallagher, Schron, Conwell, Jones, Brown, Houser, Simon, Baker and Brady

Nays: None

  
County Council President

7-26-18  
Date

  
County Executive

7-27-18  
Date

  
Clerk of Council

7/24/2018  
Date

First Reading/Referred to Committee: June 26, 2018  
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested: July 18, 2018

Additional Sponsorship Requested on the Floor: July 24, 2018

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July 24, 2018