

# County Council of Cuyahoga County, Ohio

## Resolution No. R2019-0018

<p>Sponsored by: <b>County Executive Budish/Department of Public Works/Division of County Engineer</b></p> <p>Co-sponsored by: <b>Councilmember Simon</b></p>	<p><b>A Resolution</b> declaring that public convenience and welfare requires resurfacing Brainard Road from Cedar Road to Wilson Mills Road in the Cities of Highland Heights and Lyndhurst; total estimated project cost \$3,708,286.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipalities in connection with said project; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive Budish/Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires resurfacing Brainard Road from Cedar Road to Wilson Mills Road in the Cities of Highland Heights and Lyndhurst; and

WHEREAS, the anticipated start date for construction of the project is 2020; and

WHEREAS, that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvements; and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure for which the County is responsible; and

WHEREAS, the project is located in Council District 11.

WHEREAS, the current estimated project cost is \$3,708,286.00, which will be funded as follows: (a) \$463,786.00 from County Road and Bridge Funds, (b) \$79,310.00 from City of Highland Heights, (c) \$281,190.00 from City of Lyndhurst, and (d) \$2,884,000.00 from Federal Funds; 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 declares that public convenience and welfare requires resurfacing Brainard Road from Cedar Road to Wilson Mills Road in the Cities of Highland Heights and Lyndhurst.

**SECTION 2.** That special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvements.

**SECTION 3.** That the County Executive is hereby authorized to enter into and execute any and all necessary agreements of cooperation and any other documents in connection with this project.


**SECTION 4.** 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 5.** 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. Brady, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

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

Nays: None

  
County Council President

2-13-19  
Date

Har R. P.  
County Executive

2-15-19  
Date

Joseph M. Schmitzel  
Clerk of Council

2/12/2019  
Date

First Reading/Referred to Committee: January 8, 2019  
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: January 8, 2019

Committee Report/Second Reading: January 22, 2019

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February 12, 2019