

# County Council of Cuyahoga County, Ohio

## Resolution No. R2019-0289

Sponsored by: <b>County Executive Budish/Department of Public Works</b>	<b>A Resolution</b> authorizing a revenue generating Utility Agreement with City of Cleveland Heights in the amount not-to-exceed \$600,000.00 for maintenance and repair of storm and sanitary sewers located in County Sewer District No. 17 for the period 1/1/2020 - 12/31/2020; authorizing the County Executive to execute the agreement and all other documents consistent with said Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has recommended a revenue generating Utility Agreement with City of Cleveland Heights in the amount not-to-exceed \$600,000.00 for maintenance and repair of storm and sanitary sewers located in County Sewer District No. 17 for the period 1/1/2020 - 12/31/2020; and

WHEREAS, the City of Cleveland Heights desires to retain Cuyahoga County to perform certain services for the City of Cleveland Heights to aid with the maintenance and repair of storm and sanitary sewers located in County Sewer District No. 17; and

WHEREAS, pursuant to R.C. §307.15, a county may contract with any municipal corporation to render any service, on behalf of the municipal corporation; and

WHEREAS, this project is located in County Council District No. 10; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical sewer maintenance and repair services can be provided by Cuyahoga County for the City of Cleveland Heights.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby authorizes a revenue generating Utility Agreement with City of Cleveland Heights in the amount not-to-exceed \$600,000.00 for maintenance and repair of storm and sanitary sewers located in County Sewer District No. 17 for the period 1/1/2020 - 12/31/2020.

**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 Ms. Conwell, the foregoing Resolution was duly adopted.

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

Nays: None

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County Council President

\_\_\_\_\_  
Date

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County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: December 10, 2019  
Committee(s) Assigned: Public Works, Procurement & Contracting

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January 28, 2020