

1 RESOLUTION NO. 2010-472

**First Reading Passage Requested**  
**(T. Tuskas)**

2 SPONSOR Mr. Pry

3 DATE November 15, 2010

4 COMMITTEE Public Works

5  
6  
7 **A Resolution authorizing the County Executive to enter into a Local Public Agency**  
8 **agreement with the State of Ohio, through the Department of Transportation, for bridge**  
9 **load ratings of the Memorial Parkway over Little Cuyahoga River, East North Street over**  
10 **Little Cuyahoga, Bath Road over Cuyahoga River, Cuyahoga Street over Cuyahoga River,**  
11 **Front Street over Cuyahoga River, and Kenmore Boulevard over Ohio Canal in the City of**  
12 **Akron, Wooster-Robinson over Tuscarawas River in the City of Barberton, South Main**  
13 **Street over Cottage Grove Lake in the City of Green, Boston Mills Road over Cuyahoga**  
14 **River in Boston Township and Brandywine Road over Brandywine Creek in Northfield**  
15 **Center Township, Council Districts 1, 2, 4, 5, 7, and 8, at a cost not to exceed \$38,079.00,**  
16 **for the Engineer, and declaring an emergency.**

17  
18 WHEREAS, the Engineer finds a public need for performing bridge load ratings on the  
19 Memorial Parkway over Little Cuyahoga River, East North Street over Little Cuyahoga, Bath  
20 Road over Cuyahoga River, Cuyahoga Street over Cuyahoga River, Front Street over Cuyahoga  
21 River, Kenmore Boulevard over Ohio Canal, Wooster-Robinson over Tuscarawas River, South  
22 Main Street over Cottage Grove Lake, Boston Mills Road over Cuyahoga River and Brandywine  
23 Road over Brandywine Creek in the interest of public safety; and

24  
25 WHEREAS, the Continuous Multi Span Bridge Load Rating Project ("Project") has been  
26 selected for federal funding having received Federal High Administration ("FHWA") approval;  
27 and

28  
29 WHEREAS, the Project's estimated cost is \$38,079.00; and

30  
31 WHEREAS, the Ohio Department of Transportation shall provide the Local Public  
32 Agency 80% of the eligible costs, up to a maximum of \$30,463.20; and

33  
34 WHEREAS, the Engineer plans to provide the remainder of the Project's Cost, in an  
35 amount not to exceed \$7,615.80; and

36  
37 WHEREAS, ODOT and the County of Summit Engineer desire to enter into a Local  
38 Public Agency ("LPA") agreement, to confirm the Project's Cost and to designate the County of  
39 Summit as the lead agency for administration of consultant selection of the Project; and

40  
41 WHEREAS, R.C. Sections 5501.03 (c) and 5543.01, as well as Summit County Charter  
42 section 2.03 (5) allow execution of such agreements, subject to the approval of this Council; and

43  
44 WHEREAS, no funds will be expended for the Project until and unless authorized by  
45 separate resolution; and

46  
47 WHEREAS, this Council has determined by reviewing all pertinent information that  
48 authorizing the County Executive to enter into the aforementioned LPA agreement with ODOT  
49 is necessary and in the best interest of the County of Summit;  
50

3  
4 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
5 of Ohio, that:

6  
7 SECTION 1

8  
9 The County Executive is hereby authorized to enter into a Local Public Agency  
10 agreement with the State of Ohio, through the Department of Transportation, for bridge load  
11 ratings of the Memorial Parkway over Little Cuyahoga River, East North Street over Little  
12 Cuyahoga, Bath Road over Cuyahoga River, Cuyahoga Street over Cuyahoga River, Front Street  
13 over Cuyahoga River, and Kenmore Boulevard over Ohio Canal in the City of Akron, Wooster-  
14 Robinson over Tuscarawas River in the City of Barberton, South Main Street over Cottage  
15 Grove Lake in the City of Green, Boston Mills Road over Cuyahoga River in Boston Township  
16 and Brandywine Road over Brandywine Creek in Northfield Center Township, Council Districts  
17 1, 2, 4, 5, 7 and 8.

18  
19 SECTION 2

20  
21 The terms of said agreement shall include the following:

- 22  
23 a. That the parties estimate the Project's Cost to be \$38,079.00, with said cost including  
24 inspection and load rating analysis;
- 25  
26 b. That the net estimated cost to Summit County shall be an amount not to exceed  
27 \$7,615.80; and
- 28  
29 c. That Summit County shall provide all other financial resources necessary to fully  
30 complete the Project.

31  
32  
33 SECTION 3

34  
35 This Resolution is hereby declared an emergency in the interest of the health, safety and  
36 welfare of the citizens of the County of Summit, and for the further reason that it immediately  
37 completes a prerequisite for a bridge improvement needed for safe and convenient travel within  
38 the County.

39  
40 SECTION 4

41  
42 Provided this Resolution receives the affirmative vote of eight members, it shall take  
43 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
44 effect and be in force at the earliest time provided by law.

45  
46 SECTION 5

47  
48 It is found and determined that all formal actions of this Council concerning and relating  
49 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
50 deliberations of this Council and of any of its committees that resulted in such formal action,  
51 were in meetings open to the public, in compliance with all legal requirements, including Section  
52 121.22 of the Ohio Revised Code.

1 RESOLUTION NO. 2010-472

2 PAGE THREE


3  
4 INTRODUCED November 15, 2010

5  
6 ADOPTED November 15, 2010

7  
8  
9   
10 CLERK OF COUNCIL

  
11 PRESIDENT OF COUNCIL

12 APPROVED November 15, 2010

13  
14  
15   
16 EXECUTIVE

17  
18 ENACTED EFFECTIVE November 15, 2010

Voice Vote: 11-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras  
Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith