

1 RESOLUTION NO. 2020-271

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE August 31, 2020

COMMITTEE Rules

6  
7 **A Resolution authorizing the Executive to execute a confidential settlement agreement and**  
8 **mutual release for an amount not to exceed \$70,482.50, to settle any and all claims related**  
9 **to Project Q-967, for the Executive's Department of Sanitary Sewer Services, and declaring**  
10 **an emergency.**

11  
12 WHEREAS, the Executive desires to execute a confidential settlement agreement and  
13 mutual release for an amount not to exceed \$70,482.50, to settle any and all claims related to  
14 Project Q-967, (the "Project"); and

15  
16 WHEREAS, on April 21, 2020, the Executive's department of Sanitary Sewer Services  
17 ("DSSS") alleges that payor caused a delay in the completion of the Project; and

18  
19 WHEREAS, payor denies any and all liability for the alleged delays but agrees to fully  
20 reimburse the County if a confidential settlement agreement and mutual release is executed; and

21  
22 WHEREAS, pursuant to Section 130.02 of the Codified Ordinances of the County of  
23 Summit, entitled "Compromise of Small Claims," the Executive must seek authorization from  
24 this Council prior to accepting the settlement agreement; and

25  
26 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
27 that it is necessary and in the best interest of the County of Summit to authorize the Executive to  
28 execute the confidential settlement agreement and mutual release for an amount not to exceed  
29 \$70,482.50, for the aforementioned reasons;

30  
31 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
32 of Ohio, that:

33  
34 SECTION 1

35  
36 The Executive is hereby authorized to execute a confidential settlement agreement and  
37 mutual release, for an amount not to exceed \$70,482.50, to settle any and all claims related to  
38 Project Q-967. The Executive is further authorized to prepare and sign any other necessary  
39 documents related to this claim.

40  
41 SECTION 2

42  
43 This Resolution is declared an emergency in the interest of the health, safety and welfare  
44 of the residents of the County of Summit, and for the further reason of immediately settling all  
45 claims related to Project Q-967.

46  
47 SECTION 3

48  
49 Provided this Resolution receives the affirmative vote of eight members, it shall take  
50 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
51 effect and be in force at the earliest time provided by law.

52  
53

1 RESOLUTION NO. 2020-271

2 PAGE TWO

3  
4 SECTION 4

5  
6 It is found and determined that all formal actions of the Council concerning and relating  
7 to the adoption of the Resolution were adopted in an open meeting of this Council, and that all  
8 deliberations of this Council and of any of its committees that resulted in such formal action,  
9 were in meetings open to the public, in compliance with all legal requirements, including Section  
10 121.22 of the Ohio Revised Code.

11  
12  
13 INTRODUCED August 17, 2020

14  
15 ADOPTED August 31, 2020

16  
17   
18 \_\_\_\_\_  
19 CLERK OF COUNCIL

20  
21   
22 \_\_\_\_\_  
23 PRESIDENT OF COUNCIL

24  
25 APPROVED September 3, 2020

26  
27   
\_\_\_\_\_  
EXECUTIVE

ENACTED EFFECTIVE September 3, 2020

Voice Vote: YES - 11-0 Dickinson, Donofrio, Feeman, Koehler,  
McKenney, Prentice, Rodgers, Schmidt, Sims, Walters, Wilhite