

1 RESOLUTION NO. 2023-264

First Reading Passage Requested
(H. Miller)

2
3 SPONSOR Executive Shapiro

4
5 DATE September 11, 2023

COMMITTEE Planning

6
7 **A Resolution declaring the remediation of a lead hazard located at 425 Briarwood, Akron,**
8 **Ohio, in Council District 5, an emergency pursuant to Section 177.07(a)(3) of the Codified**
9 **Ordinances of the County of Summit, and authorizing the Executive, subject to the**
10 **approval of the Board of Control, to execute a contract with Lindsey Construction &**
11 **Design, Inc., in an amount not to exceed \$56,515.00, for emergency remediation of an**
12 **existing lead hazard at said address, for the Executive’s Department of Community and**
13 **Economic Development, and declaring an emergency.**

14
15 WHEREAS, the U.S. Department of Housing and Urban Development (“HUD”) Office
16 of Healthy Homes and Lead Hazard Control is authorized to administer a Lead Hazard
17 Reduction Demonstration Grant Program (“LHRDGP”) under Section 1011 of the Residential
18 Lead-Based Paint Hazard Reduction Act of 1992; and

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20 WHEREAS, the Executive’s Department of Community and Economic Development is
21 the primary partner with the Summit County Combined General Health District d.b.a. Summit
22 County Public Health (“SCPH”) for the Lead Based Paint Hazard Reduction Program; and

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24 WHEREAS, the Lead Based Paint Hazard Program is designed to reduce and remove
25 lead hazards in homes occupied by low to moderate income individuals with children under the
26 age of 6 residing in the home or visiting the home for a minimum of 62 hours a year; and

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28 WHEREAS, the home located at 425 Briarwood, Akron, Ohio, which has resident
29 children under the age of 6, has a severe lead problem which requires remediation in a timely
30 manner; and

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32 WHEREAS, the Executive’s Department of Community and Economic Development
33 previously requested quotes on the County’s website and held a pre-bid meeting at the home,
34 with Great Lakes Construction submitting the lowest quote and a contract was awarded; and

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36 WHEREAS, the Department of Community and Economic Development was forced to
37 terminate the contract with Great Lakes Construction due to violations of the Department of
38 Housing and Urban Development Lead Hazard Control Program rules and regulations on a prior
39 contract that they were awarded by the County; and

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41 WHEREAS, Lindsey Construction & Design, Inc. was the next lowest bidder, but their
42 bid is in the amount of \$56,515.00, and the Department of Community and Economic
43 Development seeks Council’s approval to award the contract to Lindsey Construction & Design,
44 Inc. without further advertisement and bidding because of the severe lead problem that exists at
45 the residence and given the fact that small children live there; and

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47 WHEREAS, it is necessary to authorize the Executive, subject to the approval of the
48 Board of Control, to execute a contract with Lindsey Construction & Design, Inc., for emergency
49 remediation of an existing lead hazard at said address, in an amount not to exceed \$56,515.00;
50 and

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4 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
5 that the aforementioned lead hazard remediation under Section 177.07(a)(3) of the Codified
6 Ordinances of the County of Summit and further finds and determines that it is necessary and in
7 the best interest of the County of Summit to authorize the Executive, subject to the approval of
8 the Board of Control, to execute a contract with Lindsey Construction & Design, Inc. for
9 emergency remediation of a lead hazard at said address, in an amount not to exceed \$56,515.00;

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11 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
12 of Ohio, that:

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14 SECTION 1

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16 This Council finds and determines that emergency remediation of a lead hazard located at
17 425 Briarwood, Akron, Ohio, in Council District 5, an emergency pursuant to Section
18 177.07(a)(3) of the Codified Ordinances of the County of Summit.

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20 SECTION 2

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22 The Executive is hereby authorized to execute, subject to the approval of the Board of
23 Control, a contract with Lindsey Construction & Design, Inc., in an amount not to exceed
24 \$56,515.00, for emergency remediation of an existing lead hazard at 425 Briarwood, Akron,
25 Ohio.

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27 SECTION 3

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29 This Resolution is hereby declared an emergency in the interest of the health, safety, and
30 welfare of the residents of the County of Summit, and for the further reason to immediately
31 authorize a contract with Lindsey Construction & Design, Inc. for emergency remediation of a
32 lead hazard at a home in Akron, Ohio.

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34 SECTION 4

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

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40 SECTION 5

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42 It is found and determined that all formal actions of this Council concerning and relating
43 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
44 deliberations of this Council and of any of its committees that resulted in such formal action,
45 were in meetings open to the public, in compliance with all legal requirements, including Section
46 121.22 of the Ohio Revised Code.

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5 INTRODUCED September 11, 2023

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7 ADOPTED September 11, 2023

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DocuSigned by:
hauwen marsh
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11 CLERK OF COUNCIL

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13 APPROVED September 11, 2023

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DocuSigned by:
Sean Shapiro
C8D33E40D267473...

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17 EXECUTIVE

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19 ENACTED EFFECTIVE September 12, 2023

DocuSigned by:
Veronica R Sim
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PRESIDENT OF COUNCIL

Voice Vote – YES: 9– 0: Darrow, Dickinson, Donofrio, McKenney, Rodgers,
Schmidt, Sims, Wiedie Higham, Wilhite
ABSENT: DeVitis, Walters