

Ordinance No. 486-2020

**By Council Members Kazy and Kelley
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Utilities to enter into one or more agreements with the Northeast Ohio Regional Sewer District to replace a water main in Brecksville Road under Chippewa Creek in the City of Brecksville and the design of the main replacement; and to provide a pre-payment or reimburse them for the City's share of the improvement.

WHEREAS, the City of Cleveland, Division of Water has a water main in Brecksville Road under Chippewa Creek in Brecksville, Ohio that needs replacing and lowering further beneath the creek bringing it to modern industry standards; and

WHEREAS, the Northeast Ohio Regional Sewer District ("NEORS") is planning to build a structure this spring or summer to stabilize the channel of Chippewa Creek for their storm water program; and

WHEREAS, having NEORS perform the work during their storm water program will avoid coordination issues and delays, provide shared cost savings, and result in less disruption to the public during the work; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That, notwithstanding any Codified Ordinance to the contrary, the Director of Public Utilities is authorized to enter into one or more agreements with NEORS to replace and lower the water main in Brecksville Road under Chippewa Creek in Brecksville Ohio.

Section 2. That the agreement or agreements shall be prepared by the Director of Law.

Section 3. That, upon execution of the agreement authorized above, the Director of Public Utilities is authorized to reimburse or provide pre-payment to NEORS to replace and lower the water main in Brecksville Road under Chippewa Creek in Brecksville Ohio, related Division of Water costs, the design of the main replacement, and other expenditures, in an estimated amount of \$330,000, payable from Fund No. 52 SF 001, and from the fund or funds to which are credited any future water bonds if issued for this purpose. (RQS 2002, RL 2020-33)

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

