Ordinance No. 476-2023

By Council Members Kazy and Griffin (by departmental request)

<u>AN EMERGENCY ORDINANCE</u>
Authorizing the Director of Public Utilities to enter into a Utilities Repair Agreement with the County of Cuyahoga to pay or reimburse directly related costs incurred by the County for the repair of storm and sanitary sewer lines, on an as-needed basis, for a period of two years, with one option to renew for an additional one-year period, exercisable by the Director of Public Utilities.

WHEREAS, the City of Cleveland's Division of Water is responsible for various suburban communities' water lines under Water Service Agreements entered into by the City and multiple suburban communities; and

WHEREAS, when water mains break or other related water appurtenances break, such breaks can impact the suburban communities' storm and sanitary sewer systems causing damage to said suburban storm and sanitary sewer systems; and

WHEREAS, the City needs to ensure that the damaged suburban storm and sanitary sewer systems are repaired when the City is repairing the water main break or break in other related water appurtenances at the same time; and

WHEREAS, the Cuyahoga County Department of Public Works already maintains sewers for several communities in the Division of Water's service area and has special expertise and familiarity in repairing the suburban communities' storm and sanitary sewer distribution systems; and

WHEREAS, it is the desire of the City and County to enter into a Utility Repair Agreement to allow the County to make the repairs to the suburban communities' storm and sanitary sewer system, on an as-needed basis; 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 the Director of Public Utilities is authorized to enter into a Utility Repair Agreement with Cuyahoga County to perform certain storm and sanitary sewer repairs to various suburban communities' storm and sanitary sewer systems in the public right-of-way and easements that are impacted due to water main breaks or other related water appurtenances that break, on an as-needed basis.

Section 2.   That the term of the agreement shall be for a period of two years with one option to renew for an additional one-year period, exercisable by the Director of Public Utilities.

Section 3.   That the costs of the agreement shall be paid from Fund No. 52 SF 001. (RQS 2002, RL 2023-21)

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.

GB:uo
4-17-2023
FOR: Director Keane

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READ FIRST TIME on APRIL 17, 2023
and referred to DIRECTORS of Public Utilities, Finance, Law;
COMMITTEES on Utilities, Finance Diversity Equity and Inclusion

REPORTS

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CITY CLERK

READ SECOND TIME

_____
CITY CLERK

READ THIRD TIME

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PRESIDENT

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CITY CLERK

APPROVED

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MAYOR

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FINANCE, DIVERSITY, EQUITY and INCLUSION

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