



**AGENDA**  
**CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE MEETING**  
**THURSDAY, MAY 10, 2012**  
**CUYAHOGA COUNTY JUSTICE CENTER**  
**COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR**  
**11:00 AM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE APRIL 26, 2012 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
  - a) R2012-0080: A Resolution approving a Sanitary Sewer Line Vacation and Granting of Easement agreement with Wal-Mart Real Estate Business Trust, a Delaware statutory trust, in connection with property located in the City of Brooklyn; and authorizing the County Executive to execute all documents required in connection with said agreement.
- 6. DISCUSSION REGARDING THE ECONOMIC INCLUSION TASKFORCE**
- 7. MISCELLANEOUS BUSINESS**
- 8. OTHER PUBLIC COMMENT**
- 9. ADJOURNMENT**

\*In accordance with Ordinance No. O2011-0020, complimentary parking in the Huntington Park Garage will be available for the public **beginning at 4:00 p.m.** on any day when the Council or any of its committees holds evening meetings. Please see the Clerk to obtain a parking pass.



## **MINUTES**

### **CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE MEETING**

**THURSDAY, APRIL 26, 2012  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
11:00 AM**

#### **1. CALL TO ORDER**

**Chairman Jones called the meeting to order at 11:04 a.m.**

#### **2. ROLL CALL**

**Assistant Deputy Clerk Thurman called the roll. Committee members Jones, Miller and Rogers were in attendance and a quorum was determined. Committee members Conwell and Germana were absent from the meeting.**

**A motion was then made by Mr. Jones, seconded by Mr. Rogers and approved by unanimous vote to excuse Ms. Conwell and Mr. Germana from the meeting.**

#### **3. PUBLIC COMMENT RELATED TO THE AGENDA**

**No public comments were given.**

#### **4. APPROVAL OF MINUTES FROM THE APRIL 19, 2012 MEETING**

**A motion was made by Mr. Miller, seconded by Mr. Rogers and approved by unanimous vote to approve the minutes of the April 19, 2012 meeting.**

#### **5. MATTERS REFERRED TO COMMITTEE**

- a) R2012-0074: A Resolution declaring that public convenience and welfare requires resurfacing of Denison Avenue from Fulton Road to

Pearl Road in the City of Cleveland; total estimated construction cost \$850,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project.

**Ms. Bonnie Teeuwen, Director of Public Works, addressed the Committee regarding Resolution No. R2012-0074. Discussion ensued.**

**Committee members asked questions of Ms. Teeuwen pertaining to the item, which she answered accordingly.**

**On a motion by Mr. Miller with a second by Mr. Rogers, Resolution No. R2012-0074 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of rules.**

- b) R2012-0075: A Resolution declaring that public convenience and welfare requires resurfacing of Riverview Road from Brookside Road to Fitzwater Road in the Cities of Brecksville and Independence; total estimated construction cost \$600,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and authorizing the County Executive to enter into agreements of cooperation with said municipalities in connection with said project.

**Ms. Teeuwen addressed the Committee regarding Resolution No. R2012-0075. Discussion ensued.**

**Committee members asked questions of Ms. Teeuwen pertaining to the item, which she answered accordingly.**

**On a motion by Mr. Jones with a second by Mr. Rogers, Resolution No. R2012-0075 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of rules.**

## 6. MISCELLANEOUS BUSINESS

**There was no miscellaneous business.**

## 7. OTHER PUBLIC COMMENT

**No public comments were given.**

8. ADJOURNMENT

**With no further business to discuss and on a motion by Mr. Rogers with a second by Mr. Jones, the meeting was adjourned at 11:12 a.m., without objection.**

# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0080

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Divison of County Engineer</b>	<b>A Resolution</b> approving a Sanitary Sewer Line Vacation and Granting of Easement agreement with Wal-Mart Real Estate Business Trust, a Delaware statutory trust, in connection with property located in the City of Brooklyn; and authorizing the County Executive to execute all documents required in connection with said agreement.
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WHEREAS, the County Executive FitzGerald/Department of Public Works/ Division of County Engineer has requested approval of the County's vacationing of the existing Sanitary Sewer Line Easement to Wal-Mart Real Estate Business Trust, a Delaware Statutory Trust, and to grant a replacement easement from Wal-Mart to the County in connection with property located in the City of Brooklyn; and

WHEREAS, Wal-Mart owns property in Brooklyn, Ohio that has been improved with a commercial retail facility, which it intends to expand; and

WHEREAS, there is currently an existing sanitary sewer line easement on the property, and in order for Wal-Mart to expand its retail facility, the existing sanitary sewer line had to be relocated; and

WHEREAS, at its own expense, Wal-Mart constructed a new sanitary sewer line on a different portion of its property to take the place of the existing sanitary sewer line; and the new sanitary sewer line is currently functioning; and

WHEREAS, both Cuyahoga County and the North East Ohio Regional Sewer District ("NEORS") oversaw the construction of the new sanitary sewer line; and

WHEREAS, in addition to relocating the existing sewer line for the expansion of its commercial facility, the existing sanitary sewer line easement must also be vacated; and

WHEREAS, Wal-Mart desires to grant to the County an easement for the purpose of maintaining the new sanitary sewer line and, in return, have the County vacate the easement on the original (existing) sanitary sewer line; and

WHEREAS, upon completion of this transaction, Cuyahoga County will donate the new sewer line and easement to the NEORS; and

WHEREAS, the NEORS D has approved the vacationing of the existing easement and the granting of the new easement; and

WHEREAS, there is no cost associated with approving the vacation of the sanitary sewer easement or in accepting the replacement sanitary sewer easement; and

WHEREAS, the contactor, project information and location are as follows:

Contractor

Linda H. Schaffer, Esq.,  
Wal-Mart Real Estate Business Trust,  
One East 4<sup>th</sup> Street, Suite 1400  
Cincinnati, Ohio 45202

Project Address

10000 Brookpark Road  
Brooklyn, Ohio 44130  
Council District 6.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the County Council hereby approves the County's vacationing of the existing Sanitary Sewer Line Easement to Wal-Mart Real Estate Business Trust, a Delaware statutory trust, located in the City of Brooklyn.

**SECTION 2.** That the County Council hereby accepts the grant of a replacement easement from Wal-Mart Real Estate Business Trust to Cuyahoga County in connection with property located in the City of Brooklyn.

**SECTION 3.** There is no cost associated with approving the vacationing of the sanitary sewer line easement or in accepting the replacement sanitary sewer line easement.

**SECTION 4.** That the County Executive is hereby authorized to enter into and execute the Sanitary Sewer Line Vacation and Granting of Easement agreement and all other documents required in connection with the project.

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

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: May 8, 2012

Committee(s) Assigned: Public Works, Procurement & Contracting

Journal \_\_\_\_\_  
\_\_\_\_\_, 2012