

RESOLUTION NO.: 6 -2021
INTRODUCED BY: Mayor Roche

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CUYAHOGA COUNTY, OHIO FOR REIMBURSEMENT OF PART OF THE COST OF THE COMMUNITY PARK SWALE RETROFIT PROJECT.

WHEREAS, the parties entered into a Memorandum of Agreement for Construction, Operation and Maintenance of Sewerage System within the City of Richmond Heights, dated July 20, 2015 (the "Agreement"). Pursuant to the terms of the Agreement the County maintains and repairs the City's sewerage systems and collects from the users a schedule of rates/charges for the repayment of such maintenance;

WHEREAS, the City is in the process of installing a swale retrofit and native trees and shrubs at the City Community Park that will absorb and infiltrate stormwater from the community park ball fields and parking lot (the "Project");

WHEREAS, the County is subject to a Director's Final Findings and Orders issued by the Ohio Environmental Protection Agency ("Ohio EPA") pursuant to which the County agreed to pay a penalty in the amount of \$40,000.00 (the "Order");

WHEREAS, in lieu of paying the full amount required by the Order, Ohio EPA agreed that the County will invest a minimum of \$30,000.00 in a supplemental environmental project ("SEP");

WHEREAS, the Ohio EPA approved the Project as an acceptable SEP;

WHEREAS the County will agree to contribute funds to the Project and, in return, the City will agree to manage the Project on behalf of the County and the City of Richmond Heights;

WHEREAS, Council desires to authorize the Mayor to enter into an agreement with Cuyahoga County, Ohio for reimbursement of part of the cost of the Community Park Swale Retrofit Project so that the SEP funds can be utilized for the Project;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The Mayor is authorized to enter into an agreement with Cuyahoga County, Ohio for reimbursement of part of the cost of the Community Park Swale Retrofit Project, which shall include such terms as are acceptable to the Director of Law.

Section 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of

this 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.

Section 3: This Resolution shall take effect and be in force at the earliest time provided by law.

PASSED:

Jan 12, 2021

David H. Roche
David H. Roche, Mayor

APPROVED:

Jan 12, 2021

ATTEST:

Betsy Traben
Betsy Traben
Clerk of Council

Eloise Cotton-Henry
Eloise Cotton-Henry
President of Council