

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0262

Sponsored by: Councilmembers Connally and Schron	A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the Western Reserve Land Conservancy for the conservation of ecologically significant areas along the Chagrin River, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County has received a request from Western Reserve Land Conservancy for a Resolution of support of an application for eighth-round funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission for the conservation of ecologically significant areas for protection along the Chagrin River, pursuant to Ohio Revised Code Section 164.23; and,

WHEREAS, the 22-acre Chagrin-Bentleyville property is located in the Village of Moreland Hills and the Village of Chagrin Falls, south of Chagrin Boulevard and east of Bentleyville Road. The property slopes into a steep valley with streamside forests along the Chagrin River that offers opportunities for both green space and watershed protection. The Cuyahoga County Green Space Plan recognizes the Chagrin River as one of the three major river valleys in the county and the Chagrin River Watershed Action Plan supports limiting the negative effects of stream bank erosion on the Chagrin River that are exacerbated by steep slopes and poor soil quality; and,

WHEREAS, Western Reserve Land Conservancy intends to purchase the property and will hold a conservation easement on the property to protect the land and its natural resources in perpetuity; and,

WHEREAS, the project is known as “Chagrin-Bentleyville Restoration” and is located in County Council District No. 6; and,

WHEREAS, the total estimated project cost is \$900,000.00; and

WHEREAS, Ohio Revised Code Section 164.23 provides that “an entity seeking a grant for a project that is eligible for funding shall submit an application to the natural resources assistance council with geographical jurisdiction over the proposed project area;” and, Ohio Revised Code Section 164.23(B) further provides that “in

addition to the application, an applicant for a grant for a project shall include a copy of a resolution supporting the project from each county in which the proposed project is to be conducted;" and,

WHEREAS, the Ohio Public Works Commission provides financial assistance to Natural Resource Assistance Councils for the purpose of preserving open spaces, sensitive ecological areas, and stream corridors; and,

WHEREAS, the applications for the eighth-round funding under the Clean Ohio Fund Green Space Conservation Program are due on January 10, 2014 to the Cuyahoga County Natural Resource Assistance Council; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order to meet the application deadline required by the Cuyahoga County Natural Resources Assistance Council.

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

SECTION 1. That the Cuyahoga County Council hereby supports the submission of an application on behalf of the Western Reserve Land Conservancy for eighth-round funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission to protect the ecologically significant areas along the Chagrin River.

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 3. 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 of 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 Mr. Schron, seconded by Ms. Simon, the foregoing Resolution was duly adopted.

Yeas: Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones,
Simon and Connally

Nays: None

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: November 26, 2013
Committee(s) Assigned: Education, Environment & Sustainability

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