

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0264

Sponsored by: Councilmembers Connally and Brady	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 Lower Big Creek, 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 Lower Big Creek, pursuant to Ohio Revised Code Section 164.23; and,

WHEREAS, the 25-acre Lower Big Creek Project is located in the City of Cleveland on the east side of Pearl Road, near the Cleveland Metroparks Zoo in the Old Brooklyn neighborhood. The property is the site of a former construction and demolition debris landfill. The property has significant potential to link area recreational amenities in a densely populated urban neighborhood, most notably serving as an important trail connection between the Cleveland Metroparks Zoo and the Towpath Trail. The property is bordered to the north by Lower Big Creek, the banks of which present opportunity for creekbed restoration to support floodplain control; and,

WHEREAS, Western Reserve Land Conservancy intends to purchase the property and is working with its project partners to determine the long-term owner of the property. Western Reserve Land Conservancy 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 “Lower Big Creek” and is located in County Council District No. 3; and,

WHEREAS, the total estimated project cost is \$750,000.00; 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 Lower Big Creek.

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 Ms. Simon, seconded by Mr. Germana, 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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