

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0266

<p>Sponsored by: <b>Councilmembers Connally and Simon</b></p> <p>Co-sponsored by: <b>Councilmembers Germana and Rogers</b></p>	<p><b>A Resolution</b> 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 Cuyahoga Soil &amp; Water Conservation District for the conservation of ecologically significant areas along the East Branch of Euclid Creek, and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Cuyahoga County has received a request from Cuyahoga Soil & Water Conservation District (“Cuyahoga SWCD”) 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 East Branch of Euclid Creek pursuant to Ohio Revised Code Section 164.23; and,

WHEREAS, Cuyahoga SWCD is applying for funds in partnership with the West Creek Conservancy (WCC) and Friends of Euclid Creek (FOEC) to protect one ecologically significant site with sensitive wetlands and a headwater tributary to the East Branch of Euclid Creek. The project will protect approximately 12 acres of land in the City of Highland Heights and is located adjacent to Highland Heights Community Park, offering opportunities for limited public access to the site; and,

WHEREAS, the grant will be managed by the Cuyahoga SWCD; if funded, parcels will be owned by West Creek Conservancy and conservation easements placed on the parcels will be held by Cuyahoga SWCD; an in-kind local match will be provided by Cuyahoga SWCD, FOEC, and WCC; and,

WHEREAS, the project is known as “Saving Urban Wetlands in Euclid Creek” and is located in County Council District No.11; and,

WHEREAS, the total estimated project cost is \$255,000.00; 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 Cuyahoga Soil & Water Conservation District 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 East Branch of Euclid 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

12-10-13  
Date

  
County Executive

12/17/13  
Date

  
Clerk of Council

12/10/2013  
Date

First Reading/Referred to Committee: November 26, 2013

Committee(s) Assigned: Education, Environment & Sustainability

Additional Sponsorship Requested: December 4, 2013

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December 10, 2013