

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0280

<p>Sponsored by: <b>Councilmembers Connally and Simon</b></p> <p>Co-sponsored by: <b>Councilmember Germana</b></p>	<p><b>A Resolution</b> supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Tinker’s Creek Watershed Partners for the conservation of ecologically significant areas along the Bear Creek, and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Cuyahoga County has received a request from Tinker’s Creek Watershed Partners for a Resolution of support of an application for ninth-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 Bear Creek, pursuant to Ohio Revised Code Section 164.23; and,

WHEREAS, the City of Warrensville Heights in Cuyahoga County is a highly developed, urban community with very few opportunities for residents to enjoy greenspace with only 10.8 acres of public parks (0.004% of land area). Also the city has very few daylighted streams and those that are, are channelized and do not support quality habitat.

WHEREAS, the proposed project would provide riparian protection to 515 linear feet of Bear Creek and protect 4.5 acres of green space for an underserved community and would support the goals of the State endorsed Tinker’s Creek Watershed Action Plan. The project would piece together five parcels with a single owner located along Emery Rd. The land is currently under threat from developers and needs quick action to be preserved. There are currently no structures on site and is only sparsely forested.

WHEREAS, the proposed project complements a previous project that was finished in 2012 in the upstream reaches and provides an opportunity for trail connectivity. The original goal of the project of 2012 was to restore and protect the section of Bear Creek of this proposed project area, but lack of funding did not allow this to happen. Finalizing the protection of this stretch will enhance the efforts of reducing sedimentation and improved habitat already completed in the upstream area. There are very few areas of protected stream corridor in Warrensville Heights, providing protection and restoration of what little remains is vital to help to improve overall function of the watershed; and,

WHEREAS, the project is known as “Bear Creek Land Acquisition” and is located in County Council District No. 9; and,

WHEREAS, the total estimated project cost is \$250,000.00; 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 ninth-round funding under the Clean Ohio Fund Green Space Conservation Program are due on January 9, 2015 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 Tinker’s Creek Watershed Partners for ninth-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 Bear 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 Ms. Conwell, the foregoing Resolution was duly adopted.

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

Nays: None

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County Council President

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Date

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County Executive

\_\_\_\_\_  
Date

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Clerk of Council

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Date

First Reading/Referred to Committee: November 25, 2014

Committee(s) Assigned: Education, Environment & Sustainability

Additional Sponsorship Requested: December 3, 2014

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December 9, 2014