

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0281

<p>Sponsored by: Councilmembers Connally and Simon</p> <p>Co-sponsored by: Councilmembers Germana and Conwell</p>	<p>A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Cuyahoga County Department of Public Works for the preservation and restoration of natural open space within Stage 3 of the Towpath Trail Extension in connection with the Tremont Pointe Preserve and Greenway Project, and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Cuyahoga County has received a request from the Cuyahoga County Department of Public Works 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 preservation and restoration of natural open space within Stage 3 of the Towpath Trail Extension in connection with the Tremont Pointe Preserve and Greenway Project, pursuant to Ohio Revised Code Section 164.23; and,

WHEREAS, the Towpath Trail: Tremont Pointe Preserve and Greenway Project encompasses two properties. The 11.25 acre property, owned by the Cuyahoga Metropolitan Housing Authority, is located along W. 3rd Street, between W. 7th Street and Mary Avenue. The 10.1 acre CSX surplus property is located between W. 3rd Street and W. 5th Street from Mary Avenue to Literary Road. These properties are within the larger Stage 3 of the Towpath Trail Extension Project, which is identified in the SAFTEA-LU Transportation Bill as a Cuyahoga County Engineer's Office High Priority Project and is a critical connection within the Cuyahoga County Greenspace Plan. The project will preserve a natural habitat for native plant and animal species, provide opportunities for passive outdoor recreation to the public and protect natural open space for future generations. Through the Towpath Trail, the properties will connect to other natural areas and neighborhoods throughout northeast Ohio, providing the public with safe, free access to greenspace.

WHEREAS, Cuyahoga County, the Towpath Trail Extension Project manager, is joined together in a project development agreement with the City of Cleveland, Cleveland Metroparks and Canalway Partners. The properties will be acquired in the

City of Cleveland's name and encumbered with a conservation easement, protecting the open space and natural habitat; and,

WHEREAS, the project is known as "Towpath Trail: Tremont Pointe Preserve and Greenway" and is located in County Council District No. 7; and,

WHEREAS, the total estimated project cost is \$2,700,000.00; 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 Cuyahoga County Department of Public Works for ninth-round funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission for the preservation and restoration of natural open space within Stage 3 of the Towpath Trail Extension in connection with the Tremont Pointe Preserve and Greenway Project.

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

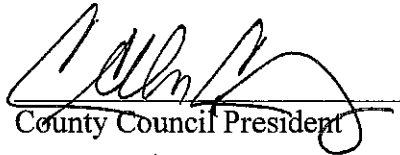
eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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. Miller, the foregoing Resolution was duly adopted.

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

Nays: None


County Council President

12-9-14
Date


County Executive

12/12/14
Date


Clerk of Council

12/9/2014
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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