

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0168

Sponsored by: Councilmember Simon on behalf of Cuyahoga County Planning Commission	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 Tinker’s Creek Watershed Partners for the conservation of ecologically significant areas in Bear Creek Stream Restoration – Phase II in the City of Warrensville Heights, and declaring the necessity that this Resolution become immediately effective.
Co-sponsored by: Councilmember Brown	

WHEREAS, Cuyahoga County has received a request from Tinker’s Creek Watershed Partners for 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 Tinker’s Creek Watershed Partners for the conservation of ecologically significant areas in Bear Creek Stream Restoration – Phase II in the City of Warrensville Heights, pursuant to Ohio Revised Code Section 164.23; and

WHEREAS, Bear Creek, a major tributary to Tinker’s Creek, has a watershed composed of dense residential development, light commercial development and woodland. The tributary reach to be restored begins at the headwall downstream of the Phase I restoration project and extends almost 800 feet downstream to Emery Road. This reach contains areas of bank erosion and the absence of a functioning riparian floodplain which limits the biological communities and ecological services. If left in its current condition, the Creek will likely continue to down cut and erode banks until reaching equilibrium, while causing further erosion, habitat loss and reduced water quality; and

WHEREAS, Tinker’s Creek Watershed Partners seeks to restore a more natural flow regime and restore the riparian floodplain for functionality. The project is on Northeast Ohio Regional Sewer District’s Regional Stormwater System (“RSS”). The District supports the project as it aligns with its goals of reducing flooding and erosion and improving water quality along the RSS; and

WHEREAS, the project is known as “Bear Creek Stream Restoration – Phase II” and is located in County Council District No. 9; and

WHEREAS, the total estimated project cost is \$520,000.00, of which \$312,000.00 is estimated for the Clean Ohio application; 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 Resources Assistance Councils for the purpose of preserving open spaces, sensitive ecological areas, and stream corridors; and

WHEREAS, the applications for the thirteenth-round funding under the Clean Ohio Fund Green Space Conservation Program are due on October 12, 2018 to the Cuyahoga County Natural Resources 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 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 in Bear Creek Stream Restoration – Phase II in the City of Warrensville Heights and known as the “Bear Creek Stream Restoration – Phase II” Project.

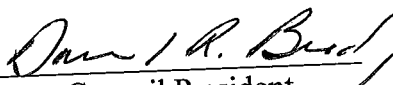
SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote 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.

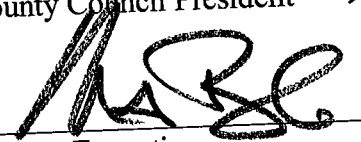
SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Miller, seconded by Ms. Simon, the foregoing Resolution was duly adopted.

Yeas: Conwell, Jones, Brown, Houser, Simon, Baker, Miller, Tuma, Gallagher, Schron and Brady

Nays: None


County Council President 9/26/18
Date


County Executive 9-27-18
Date


Clerk of Council 9/25/2018
Date

First Reading/Referred to Committee: September 12, 2018
Committee(s) Assigned: Education, Environment & Sustainability

Additional Sponsorship Requested: September 19, 2018

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