

# County Council of Cuyahoga County, Ohio

## Resolution No. R2018-0169

Sponsored by: <b>Councilmember Simon on behalf of Cuyahoga County Planning Commission</b>	<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 West Creek Conservancy for the conservation of ecologically significant areas in Dusty Goldenrod – Phase II in the City of Highland Heights, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County has received a request from West Creek Conservancy 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 West Creek Conservancy for the conservation of ecologically significant areas in Dusty Goldenrod – Phase II in the City of Highland Heights, pursuant to Ohio Revised Code Section 164.23; and

WHEREAS, West Creek Conservancy seeks to acquire 37 acres of natural area within the City of Highland Heights. The property contains approximately a ½ mile tributary stream, all headwaters of Euclid Creek as well as nearly 17 acres of wetland. West Creek Conservancy will acquire the land in fee simple interest, with a conservation easement to be held by Cuyahoga Soil and Water Conservation District. This is a 37-acre addition to the Highland Heights Community Park, which is immediately adjacent; and

WHEREAS, the project is known as “Dusty Goldenrod – Phase II” and is located in County Council District No. 11; and

WHEREAS, the total estimated project cost is \$1,200,000.00, of which \$750,000.00 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 West Creek Conservancy for the conservation of ecologically significant areas in Dusty Goldenrod – Phase II in the City of Highland Heights and known as the “Dusty Goldenrod – 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 Ms. Simon, seconded by Ms. Brown, the foregoing Resolution was duly adopted.

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

Nays: None

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County Council President                      Date

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County Executive                                      Date

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Clerk of Council                                      Date

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

Journal CC031  
September 25, 2018