

# BEREA CITY COUNCIL

*City of Berea, Ohio*

ORDINANCE NO. 2023- \_\_

By: \_\_\_\_\_ Sponsor: Mayor Cyril M. Kleem

## AN ORDINANCE

### **AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO RENEW AN AGREEMENT WITH CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT TO PROVIDE TECHNICAL ASSISTANCE IN IMPLEMENTING SOIL AND WATER CONSERVATION MEASURES, AND DECLARING AN EMERGENCY.**

**WHEREAS**, it is important that the City implement a conservation program that promotes best practices for pollution prevention consistent with the City's Municipal Separate Storm Sewer System (MS4) permit; and

**WHEREAS**, the City recognizes the need for collaboration in protecting soil and water resources and in carrying out its mandated responsibilities, especially related to the National Pollutant Discharge Elimination System Storm Water Permit; and

**WHEREAS**, Ohio Revised Code Chapter 940 describes the authority for engaging in this Agreement; and

**WHEREAS**, the Council of the City of Berea previously authorized entering into an Agreement with the Cuyahoga Soil and Water Conservation District in Ordinance No. 2022-11, with a termination date on or about April 5, 2023, unless renewed no later than thirty (30) days prior to the expiration date; and

**WHEREAS**, the City wishes to renew an agreement with the Cuyahoga Soil and Water Conservation District to perform these services.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Berea, State of Ohio:

**SECTION 1.** That the Director of Public Service be, and is, authorized to renew an Agreement, in substantially the same form as Exhibit "A", attached hereto and incorporated herein, with the Cuyahoga Soil and Water Conservation District to provide technical assistance in the implementation of soil and water conservation measures.

**SECTION 2.** That the Director of Finance be, and hereby is, authorized and directed to pay out such agreement sum(s) and charge the same to, and the funds therefor are hereby appropriated from the Sewer Capital Improvement Fund, designated for accounting purposes as Fund No. 420 for the purposes set forth in Section 1 hereinabove.

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

**SECTION 4.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that certain services relative to soil and water conservation within the City will protect the public safety. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and by in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED:

\_\_\_\_\_  
President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council

APPROVED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Law