

KEVIN D. MALECEK
President of Council

DAVID A. REICHELT
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Council Clerk

City of Willoughby Hills

ORDINANCE NO. 2008 – 18

Council
CHRISTOPHER L. BIRO
NANCY E. FELLOWS
DAVID M. FIEBIG
FRANK A. GERMANO
RAYMOND C. SOMICH

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A PROJECT COOPERATION AGREEMENT (PCA) ON BEHALF OF THE CITY OF WILLOUGHBY HILLS, WITH THE U.S. ARMY CORPS OF ENGINEERS FOR A SECTION 594 REIMBURSEMENT ASSISTANCE GRANT PROVIDING REIMBURSEMENT FUNDING FOR THE DESIGN AND CONSTRUCTION OF THE EUCLID CREEK TRIBUTARY WATERSHED (ECTW) SANITARY SEWER IMPROVEMENTS – ASSESSMENT AREA “C” AND DECLARING AN EMERGENCY.

WHEREAS, Section 594 of the Water Resources Development Act of 1999 provides that the Secretary of the Army may provide assistance for a water-related environmental infrastructure and resource protection and development project only if the project is publicly owned; and

WHEREAS, the City of Willoughby Hills has been awarded a grant from the Army Corps of Engineers providing reimbursement for the design and construction of the Euclid Creek Tributary Watershed (ECTW) Sanitary Sewer Improvements – Assessment Area “C”; and

WHEREAS, the Army Corps of Engineers and the City of Willoughby Hills desire to enter into an agreement for the provision of design and construction assistance for the Project; and

WHEREAS, the Army Corps of Engineers and the City of Willoughby Hills have full authority and capability to perform as hereinafter set forth and intend to cooperate in cost-sharing and financing of the Project in accordance with the terms of this Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE AND STATE OF OHIO THAT:

SECTION 1. The Mayor be, and he hereby is, authorized and directed to execute a Project Cooperation Agreement and any other documents relating to the receipt of a Section 594 Reimbursement Assistance Grant with the U.S. Army Corps of Engineers. The City affirms that it has the intent and ability to serve as the Non-Federal sponsor of the project on behalf of its local sanitary sewer customers.

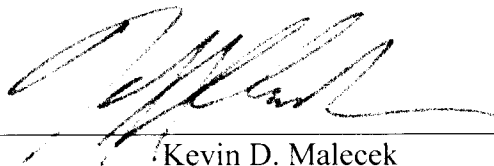
SECTION 2. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 3. This Ordinance was adopted pursuant to Section 6.3 of the City Charter, and is hereby declared to be an emergency measure necessary for the immediate preservation of the public health and safety for the reason that the Ordinance must be immediately effective to accept Federal reimbursement funding for the project, and, pursuant to Section 6.3 of the City Charter, shall take effect upon its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

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PASSED: March 27, 2008



Kevin D. Malecek
President of Council

Submitted to the Mayor for his approval

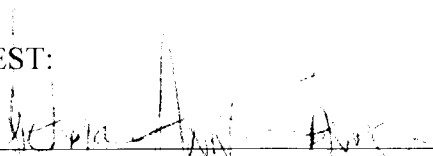
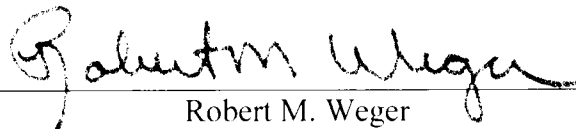
on this 27 day of March, 2008

Approved by the Mayor

March 27

, 2008

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Mayor

ORDINANCE NO. 2008-18

I, Victoria Ann Savage, Clerk of Council for the City of Willoughby Hills, Lake County, Ohio do hereby certify that the foregoing **Ordinance No. 2008-18** was duly and regularly passed by the Council of the City of Willoughby Hills, Lake County, Ohio at a meeting held on **March 27, 2008**.

That this legislation was posted according to law and duly advertised pursuant to Ordinance No.2003-19 in the **Lake County News-Herald** on **April 1, 2008**. Effective date of Legislation: **March 27, 2008**.

Victoria Ann Savage, CMC
Clerk of Council