

RESOLUTION NO. 64-2021 (MS), *Second
Reading*

By Council Member Dunbar

A Resolution approving an Integrated Overflow Control Master Plan relating to the City's Sanitary Sewer Overflow Control program pursuant to a consent decree between the City of Cleveland Heights, the United States of America, the U.S. Environmental Protection Agency and the State of Ohio, authorizing and directing its submission by June 1, 2021; and declaring an emergency.

WHEREAS, in 2017, pursuant to Resolution 66-2017, the City entered into a partial consent decree with the United States of America, the U.S. Environmental Protection Agency (EPA), and the State of Ohio related to alleged violations of the Clean Water Act; and

WHEREAS, Section V (F) of the partial consent decree requires that by June 1, 2021, the City submit for EPA review and approval an Integrated Overflow Control Master Plan (IOCM) developed in accordance with Appendix A to the partial consent decree; and

WHEREAS, the City, working with professional engineers and financial consultants, has developed an IOCM meeting the requirements of the partial consent decree, a draft of which is on file in the office of the City's Director of Public Works; and

WHEREAS, this Council wishes to approve the IOCM and to authorize and direct that it be submitted by June 1, 2021 for EPA review and approval.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby approves an Integrated Overflow Control Master Plan substantially in accordance with the IOCM on file in draft form in the office of the City's Director of Public Works.

SECTION 2. This Council hereby authorizes and directs the City Manager to cause the submission, by June 1, 2021, of the Integrated Overflow Control Master Plan approved in Section 1 for EPA review and approval pursuant to the partial consent decree.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to timely meet partial consent decree requirements. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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JASON S. STEIN
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED: May 24, 2021