

**RESOLUTION NO. 2017-05  
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING THE EXECUTION OF  
A MEMORANDUM OF UNDERSTANDING WITH THE  
CUYAHOGA COUNTY BOARD OF HEALTH  
REGARDING THE PROVISION OF PHASE II  
STORMWATER SERVICES IN 2017 AND 2018, AND  
DECLARING AN EMERGENCY**

**WHEREAS**, in order to comply with the City's NPDES Stormwater Permit and the Phase II Stormwater Program it is necessary to periodically provide stormwater services, namely the implementation of Minimum Control Measures (MCM) #3: Illicit Discharge Detection and Elimination (IDDE) programming, and MCM #6: Pollution Prevention/Good Housekeeping for Municipal Operations; and

**WHEREAS**, the Cuyahoga County Board of Health has proposed to provide the required stormwater services, as described in the Memorandum of Understanding attached hereto and made a part hereof as Exhibit A. Now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNDBURST,  
CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

**SECTION 1.** This Council hereby authorizes the Mayor to execute a Memorandum of Understanding with the Cuyahoga County Board of Health for the provision of stormwater services, said Memorandum of Understanding being attached hereto, marked Exhibit A, and incorporated herein as if fully rewritten.

**SECTION 2.** The term of the Memorandum of Understanding commences immediately, and will terminate on December 31, 2018.

**SECTION 3.** The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 4.** This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City for the reason that the subject Memorandum of Understanding must be executed immediately in order to begin to provide the required stormwater services. Therefore, this Resolution shall take effect and be in force immediately from and after its passage and approval by the Mayor.

*PASSED:* February 6, 2017

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**MAYOR**

\_\_\_\_\_  
**VICE MAYOR**

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

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on February 16, 2017 and February 23, 2017.

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*Clerk of Council*

First Reading: February 6, 2017

Second Reading: Suspended

Third Reading: Suspended

Passed 2-6-2017