

Ordinance No. 275-2021

By Council Members Kazy and Kelley
(by departmental request)

AN EMERGENCY ORDINANCE

To amend the title, the second whereas clause, and Sections 1 and 2 of Ordinance No. 896-2020, passed December 9, 2020; to supplement the ordinance by adding new Section 3 to authorize grant funding; and to renumber existing Section 3 to new Section 4, relating to participating in a pilot project to replace lead service lines to qualifying facilities in Cuyahoga County and surrounding counties in Division of Water’s service area.

WHEREAS, under Ordinance No. 896-2020, passed December 9, 2020, this Council authorized the Division of Water to participate in a pilot project with the Ohio Environmental Protection Agency (“Ohio EPA”) to replace lead service lines to Type A, B and C childcare facilities in Cuyahoga County; and

WHEREAS, in addition to the Water Supply Revolving Loan Account loan received from the Ohio EPA as authorized by Ordinance No. 896-2020, additional funding has become available; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the title, the second whereas clause, and Sections 1 and 2 of Ordinance No. 896-2020, passed December 9, 2020, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Public Utilities to enter into, apply and accept a principal forgiveness Water Supply Revolving Loan Account loan and to apply for and accept a grant from the Ohio Environmental Protection Agency from the H2Ohio fund to participate in a pilot program for replacement of lead service lines to certain childcare facilities, in school buildings still served by lead service lines, and in select residences served by lead service lines, that remain in Cuyahoga County and in the surrounding counties of the Division of Water’s service area, using criteria developed by the State and Division of Water as funds are available until exhausted; and to use the loan funds for reimbursement of the City’s costs to replace the lead service lines.

WHEREAS, that the Division of Water may apply for and accept a Water Supply Revolving Loan Account (“WSRLA”) loan through the Ohio EPA which allows for principal forgiveness as reimbursement for the City’s expenses ~~in participating in the~~ and also to apply for and accept a grant from the Ohio Environmental Protection Agency from the H2Ohio fund to participate in a pilot program to replace lead services lines to certain types of childcare facilities and other qualifying facilities in Cuyahoga County and the surrounding counties of Division of Water’s service area; and

Section 1. That the Director of Public Utilities is authorized enter into a principal forgiveness WSRLA loan agreement through the Ohio EPA, ~~and which~~ shall contain additional terms that are acceptable to the Director of Law to protect the public interest. The Director of Public Utilities is further authorized to file all papers and execute all documents necessary to receive the funds under the WSRLA Agreement; and appropriate the loan funds for the purposes as set forth in the WSRLA Agreement.

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Section 2. That the Director of Public Utilities is authorized to apply and accept a WSRLA loan in the approximate amount of \$1,000,000 in 2021 and up to an approximate amount of \$1,000,000 in 2022, to provide reimbursement for the cost of the City's expenses for participating in this pilot program for replacement of lead service lines to certain childcare facilities, in school buildings still served by lead service lines, and in select residences served by lead service lines, that remain in Cuyahoga County, and possibly in the surrounding counties of the Division of Water's service area, using criteria developed by the State and Division of Water as funds are available until exhausted.

Section 2. That the existing title, the second whereas clause, and Sections 1 and 2 of Ordinance No. 896-2020, passed December 9, 2020, are repealed.

Section 3. That Ordinance No. 896-2020, passed December 9, 2020 is supplemented by adding new Section 3 to read as follows:

Section 3. That the Director of Public Utilities is authorized to apply for and accept a grant in the amount of \$500,000 from the Ohio Environmental Protection Agency from the H2Ohio fund to participate in a pilot project to replace lead service lines to certain childcare facilities, in school buildings still served by lead service lines, and in select residences served by lead service lines, that remain in Cuyahoga County, and in the surrounding counties of the Division of Water's service area, using criteria developed by the State and Division of Water as funds are available until exhausted; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in this ordinance.

Section 4. That existing Section 3 of Ordinance No. 896-2020, passed December 9, 2020, is renumbered to new "Section 4".

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

GB:nl
4-26-2021
FOR: Director Keane

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REPORT
after second Reading

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READ FIRST TIME on APRIL 26, 2021

**and referred to DIRECTORS of Public Utilities, Finance, Law;
COMMITTEE on Utilities, Finance**

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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**PASSAGE RECOMMENDED BY
COMMITTEE ON
UTILITIES**

FILED WITH COMMITTEE

**PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE**

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