

A RESOLUTION AUTHORIZING THE VILLAGE TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN THE SUMMIT COUNTY SOIL AND WATER CONSERVATION DISTRICT AND THE VILLAGE OF RICHFIELD, SUMMIT COUNTY, OHIO

BE IT RESOLVED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That the Mayor and the Finance Director be, and they hereby are, authorized and directed to enter into an agreement with the Summit County Soil and Water Conservation District, a copy of which agreement is attached hereto as Exhibit "A" and incorporated herein fully as if by reference.

SECTION 2. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: March 4, 2003

Michael Johnson
President of Council

Ronald W. Hansen
Mayor

Date: 3/5/2003

ATTEST:
Carole Gibson
Clerk of Council

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Memorandum of Agreement
Between
The Summit Soil & Water Conservation District
And
The City of Richfield, Summit County, Ohio

Upon this 4th day of March, 2003 this Memorandum of Agreement was entered into by and between the Summit Soil and Water Conservation District, hereinafter referred to as the District, and the City (Township) of Richfield

Recognizing the need for a close working relationship in carrying out the responsibilities for which each is charged, the City of Richfield and the District enter into this Memorandum of Agreement as the foundation for an enduring cooperative relationship. Such cooperation allows joint effort in the solution of problems relating to land use planning and the development of soil and water resources in the City of Richfield.

WHAT THE DISTRICT WILL DO – The District will make technical assistance available to the City of Richfield as requested.

THE DISTRICT AGREES TO:

1. Provide information and educational materials to guide proper land use decisions.
2. Provide assistance in the development of ordinances to protect the natural resources and insure the health and safety of residents of the City of Richfield
3. Review plans for all commercial, residential and industrial developments, greater than one acre, submitted to the District by the City of Richfield and provide to the City written comments regarding soils limitations, wetlands, riparian and other natural resource information pertinent to the site. The District will return comments to the Mayor, City Engineer, Developer, Consulting Engineer and other interested parties within 21 days of plan receipt by the District.
4. Review and Approve Storm Water Pollution Prevention Plans (SWPPPs) for all commercial, industrial and residential developments, greater than 1 acre, in the City of Richfield to insure adequate plans for erosion and sediment control, natural resource protection and water quality enhancement. Comments regarding the SWPPPs will be forwarded to the City Engineer, Mayor, Developer, Consulting Engineer and other interested parties within 21 days of receipt by the District.

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5. Provide at minimum, bi-monthly inspections of all aforementioned development sites and keep the City of Richfield apprised of construction site Storm Water Pollution Prevention Plan compliance.
6. Assist the City of Richfield with the development and implementation of their NPDES Phase II Non-point Source Pollution and Water Quality Education Program. Provide written verification of BMP implementation to the City for Ohio EPA accountability.
7. Keep the City of Richfield informed of rules and regulations affecting land use issues and natural resources within the City.

WHAT THE CITY OF _____ WILL DO: The City of Richfield will cooperate with the District in the development and implementation of programs to protect and enhance the natural resources within the City.

THE CITY OF Richfield AGREES TO:

1. Utilize its best efforts to observe the principles of sound soil and water conservation, giving considerations to the need for storm water quantity and quality, erosion and sediment control measures, and natural resource protection.
2. Forward two copies of the preliminary site plans for all proposed commercial, industrial and residential developments to the District for review and comment.
3. Forward two copies of the Storm Water Pollution Prevention Plan (SWPPP) and subsequent revisions for all commercial, industrial and residential development to the District for review and approval. The storm water management reviews will be performed by the City Engineer. Any changes in the improvement drawings for a project may require a revised SWPPP to be submitted to the District.
4. Withhold improvement drawing and final plat approvals, and prohibit the commencement of clearing and construction for all proposed commercial, residential or industrial project until the Storm Water Pollution Prevention Plan has been approved by the District and a pre-construction meeting has been held with the City, Developer, District, Contractor and other interested parties.
5. Follow up on construction site SWPPP compliance issues within 30 days of original notice of violation from the District and take the necessary actions to bring the site under compliance. Such actions may include stop work orders and/or the issuance of fines.

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6. With hold all approvals for all future phases of a project with existing site compliance issues. The City may also with hold reviews and approvals for other projects being done by a developer with existing SWPPP compliance issues.
7. Adopt and apply natural resource recommendations made by the District which are reasonable and acceptable to the City of Richfield

IT IS MUTUALLY AGREED BY ALL:

1. The District and the City of Richfield will meet periodically as needed to review, and where possible, coordinate their individual progress and activities for maximum mutual benefit and to update this document as necessary.
2. The standards and specifications of the District including the Summit County Soil Survey and the Rainwater and Land Development Manual and subsequent updates, will be used in the planning and application of conservation measures.
3. The Summit Soil and Water Conservation District and the USDA Natural Resources Conservation Service prohibit discrimination in the programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs).
4. This Memorandum of Agreement may be amended or terminated at any time by mutual consent of the parties hereto, or may be terminated by either party giving sixty (60) days notice, in writing, to the other.

In witness whereof, the Memorandum of Agreement executed and agreed to on the day, month and year written above.

SUMMIT SOIL & WATER CONSERVATION DISRTICT

BY:  _____

TITLE: Chair _____

DATE: 3-17-03 _____

CITY OF Richfield OHIO

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BY: Ronald H. Larsen

TITLE: Mayor Donald H. Larsen

DATE: 3/15/03

Approved as to form by:
