

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 134

By: Mayor Perciak and All Members of Council

AN ORDINANCE AMENDING ORDINANCE NO. 2015-023; RATIFYING AND APPROVING THE FILING OF AN AMENDED APPLICATION FOR REIMBURSEMENT OF EXPENSES WITH THE OHIO EMERGENCY MANAGEMENT AGENCY THROUGH THE STATE DISASTER RELIEF PROGRAM; AND AUTHORIZING ACCEPTANCE AND EXECUTION OF A NOTICE OF AWARD AND FINAL GRANT AGREEMENT, ALL AS A RESULT OF THE MAY, 2014 FLOODING DAMAGE EXPENSES INCURRED BY THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, through passage of Ordinance No. 2015-023, on February 2, 2015, Council ratified and approved the filing of an application for reimbursement of expenses with the Ohio Emergency Management Agency (OEMA) through the State Disaster Relief Program, and authorized acceptance and execution of a Notice of Award & Grant Agreement, all as a result of the May, 2014 flooding damage expenses incurred by the City of Strongsville; and

WHEREAS, since then, the City has expanded its request for assistance from OEMA for two (2) additional sites in the eligible amount of \$11,709.79, for which a grant has been awarded for \$8,782.34 of such expenses, with a match of funds by the City of Strongsville in the amount of \$2,927.45; and

WHEREAS, as a result, the City has been requested by OEMA to execute a new, Final Amended Grant Agreement.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO:

Section 1. That Ordinance No. 2015-013 is hereby amended, and this Council hereby ratifies, authorizes and approves the filing of an amended application with the Ohio Emergency Management Agency through the State Disaster Relief Program, for reimbursement of additional expenses of some \$11,709.79 incurred in connection with clean-up and/or repairs and related expenditures for two (2) additional sites arising from the May, 2014 storms and flooding.

Section 2. That this Council further hereby authorizes the Mayor to accept and enter into an amended Notice of Award and amended Final Grant Agreement to reflect the additional expenses and costs incurred as shown on attached Exhibit A incorporated herein.

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Section 3. That this Council hereby ratifies, approves and authorizes the execution and delivery of certifications, agreements, assurances and such other information required in connection therewith by the Mayor, Director of Public Service, Fire Chief, Director of Finance and/or their authorized representatives.

Section 4. That the award funds shall be directed to the following City funds: FEMA Fund; General Fund; Street Construction, Maintenance and Repair Fund; Fire Levy Fund; Drainage Levy Fund; Tree Fund; and Sanitary Sewer Fund; and the City's portion of costs to meet its obligations, if any, under said grant shall be paid from such funds.

Section 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that the execution and filing of such amended application was immediately required in order to meet the application cut-off date, and to provide for reimbursement of additional expenses incurred during the May, 2014 storms and flooding; and it is necessary to promptly provide authorization and approvals for the City to be eligible for receipt of such funds, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

Michael Daymut
President of Council

Approved: Thomas B. Brewer
Mayor

Date Passed: July 6, 2015

Date Approved: July 7, 2015

Table with columns: Name, Yea, Nay. Rows: Carbone, Daymut, DeMio, Dooner, Maloney, Schonhut, Southworth.

Attest: Aimee Pientka
Clerk of Council

ORD. No. 2015-134
1st Rdg. 07-06-15
2nd Rdg. Suspended
3rd Rdg. Suspended
Amended:
Ref:
Pub Hrg.
Adopted: 07-06-15
Ref:
Defeated:

**OHIO EMERGENCY MANAGEMENT AGENCY
NOTICE OF AWARD & GRANT AGREEMENT**

Agreement No. n/a	Amendment No. Final	Recipient Tax ID No. n/a	Type of Action Award X Amendment	Federal Pass-Thru No. n/a	CFDA No. n/a	St Fund # 5330	St Grant # SDRP
Recipient Mailing Address: Name: Jack Draves, Fire Chief Agency: City of Strongsville Address: 16099 Foltz Parkway City, State, Zip: Strongsville, Ohio 44149 Contact Phone: 440-580-3150		Issuing Office/Address Ohio Emergency Management Agency 2855 West Dublin-Granville Road Columbus, Ohio 43235-2206		Project Manager Laura Adcock 614-799-3667		Business Manager Steve Matas 614-889-7174	
Grant Name: State Disaster Relief Program - State Public Assistance		Performance Period: From: May 12, 2014 To: May 12, 2015		Reporting Requirements: N/A		Match Requirement: [25%] Total Award: \$369,743.61	
Description of Award: <ul style="list-style-type: none"> The purpose of this grant is to provide state funding assistance to local political subdivisions and eligible private non-profit organizations impacted by disasters, pursuant to the Ohio Emergency Management Agency State Disaster Relief Program Application Packet, June 2014 edition. Recipient has adequately demonstrated reimbursable project costs in the amount of \$369,743.61 for damages sustained by the political subdivision, on May 12-13, 2014. Ohio EMA & Recipient understand and agree that the project costs submitted are final and that this Agreement is evidence of the final total cost of the state disaster relief grant. 		Award Requirements: <ul style="list-style-type: none"> Recipient agrees to provide the necessary cost share within the specified Performance Period identified above. Recipient agrees to comply with applicable state law & regulation in the expenditure of these grant funds Recipient agrees to utilize funds for the sole purposes described herein and within the Performance Period identified above. Recipient agrees to comply with Ohio Administrative Code Chapter 117-2 "Accounting & Reporting by Public Offices," in the administration of these grant funds. Recipient shall comply with all State statutes, policies and regulations relating to equal employment opportunities, non-discrimination, prevailing wages, environmental and historic preservation and floodplain management. This includes the Department of Public Safety polices, DPS-501.39 and 501.40. These polices are included in the SDRP Application Packet. 		Fiscal Requirements <ul style="list-style-type: none"> Recipient understands that no funds will be released without the appropriate Request for Reimbursement and supporting documentation, evidencing expenditure of the funds. Recipient will submit "Final Request Packets" as necessary. Payment will be issued as reimbursement of actual expenditures except that State may advance funds prior to final closeout, as long as the proper documentation has been submitted. Payments are contingent upon the timely submission and receipt of final request packets. 			
Recipient Signatory Officials (Names and Titles)				Issuing Signatory Official			
Name: Jack Draves Title: Fire Chief		Date		Sima Merick, Executive Director Ohio Emergency Management Agency		Date	

Ex. A

Additional Terms & Conditions:

- Recipient agrees, to the extent permissible by applicable law, to be responsible for any & all liabilities or claims caused by or resulting from Recipient's completion of the Project under this Notice of Award & Grant Agreement. Nothing in this Notice of Award & Grant Agreement shall be construed as an assumption of liability by either Ohio EMA or the Department of Public Safety.
- In the event Recipient fails to utilize these funds for the purposes set forth & in accordance with applicable law & regulation, Recipient shall be in default. In such event, Grantor may (a) withhold further payment of funds to Recipient and/or (b) require Recipient to reimburse all or any portion of funds and/or (c) terminate the Notice of Award & Grant Agreement.
- In the event the Executive Director of Ohio EMA or the Director of Budget & Management determine that funds are not appropriated or otherwise available to support continuation of this grant, the grant shall be canceled. A determination of unavailability of funds shall be final and conclusive.
- Recipient shall maintain all accounting records and supporting documents, papers and other evidence of this project in a separate location. Records of different state fiscal periods shall be separately identified and maintained. Recipient shall make such materials available at all reasonable times during this period for inspection by any authorized representative of the State. Recipient shall maintain all accounting records and supporting documents, papers and other evidence of this project for a period of at least three (3) years after the completion of this project and termination of this Notice of Award & Grant Agreement.
- Amendment or modification of this Notice of Award & Grant Agreement shall only be made in writing, signed by the parties, & shall specify each of the changes & justification therefore.
- This Notice of Award & Grant Agreement, all rights, duties and/or obligations described herein may not be assigned or sub-contracted by Recipient without prior consent of Grantor. Any assignment or sub-contract shall be subject to all the terms & conditions set forth herein. Recipient shall insure that all provisions are included in any assignment or sub-contract document.
- This Notice of Award & Grant Agreement and documents referred to herein constitute the complete understanding of the parties with respect to the subject of this Notice of Award & Grant Agreement. Whenever possible, each provision of this Notice of Award & Grant Agreement shall be interpreted in such a manner as to be effective & valid under applicable law. To the extent any provision is determined to be invalid the remainder of the Notice of Award & Grant Agreement will not be invalid.
- Recipient agrees to be responsible for compliance with all applicable state and local laws and regulations, including, but not limited to, purchasing and contracting requirements, building codes, equal employment opportunity, conflict of interest, ethics (ORC Chapter 102) and elections (ORC Chapter 3517).
- Recipient shall comply with the National Flood Insurance Program requirements (42 United States Code Section 4001 and following) in the use of these grant funds.

State Disaster Relief Program - Reimbursement for the City of Strongsville, May 12-13 2014 flooding and severe storms

Site Name	Labor		Hours	Equipment		Materials		Rental		Contract		Total	
	Actual Cost	Eligible Cost		Actual Cost	Eligible Cost	Actual Cost	Eligible Cost	Actual Cost	Eligible Cost	Actual Cost	Eligible Cost	Actual Cost	Eligible Cost
Site 12 - Rock Creek Dr. Spillway	\$ 1,739.43	\$ -	62	\$ 2,998.00	\$ 2,998.00	\$ 855.75	\$ 855.75	\$ 85.00	\$ 85.00	\$ -	\$ -	\$ 5,678.18	\$ 3,938.75
Site 123 - Prospect Rd. Culvert	\$ 2,744.96	\$ 163.04	112	\$ 5,311.00	\$ 5,311.00	\$ 2,297.00	\$ 2,297.00	\$ -	\$ -	\$ -	\$ -	\$ 10,352.96	\$ 7,771.04
Total	\$ 4,484.39	\$ 163.04	216	\$ 8,309.00	\$ 8,309.00	\$ 3,152.75	\$ 3,152.75	\$ 85.00	\$ 85.00	\$ -	\$ -	\$ 16,031.14	\$ 11,709.79
Eligible Work Expenditures:				\$ 16,031.14									
Eligible Expenditures:				\$ 11,709.79									
75% State Contribution				\$ 8,782.34									
Total Budget				\$ 70,018,015.00									
-005%				\$ 350,090.08									



- Bureau of Motor Vehicles
- **Emergency Management Agency**
- Emergency Medical Services
- Office of Criminal Justice Services
- Ohio Homeland Security
- Ohio Investigative Unit
- Ohio State Highway Patrol



John R. Kasich, Governor
John Born, Director
Sima S. Merick
Executive Director

Emergency Management Agency
2855 West Dublin-Granville Road
Columbus, Ohio 43235-2206
(614) 889-7150
www.ema.ohio.gov

June 19, 2015

Jack Draves, Fire Chief
City of Strongsville
16099 Foltz Parkway
Strongsville, Ohio 44149

Dear Chief Draves:

The Ohio Emergency Management Agency (Ohio EMA) has finalized review of the City's application to the State Disaster Relief Program as it relates to the May 12-13, 2014 event. Please find attached the final Notice of Award (NOA) which reflects the eligible expenditures under the Program. Please review, sign and return the NOA (original via mail) and this office will process the City's reimbursement (75% of eligible expenditures).

If you have any questions, please contact our office at 614-799-3665.

Sincerely,

A handwritten signature in blue ink, appearing to read "Laura Adcock", with a long horizontal flourish extending to the right.

LAURA ADCOCK
Grants Administrator

cc: Cuyahoga County EMA

Mission Statement

"to save lives, reduce injuries and economic loss, to administer Ohio's motor vehicle laws and to preserve the safety and well being of all citizens with the most cost-effective and service-oriented methods available."