

ORDINANCE NO. 135-2020

**TITLE: MITIGATION ASSISTANCE DESIGNEE
15th STREET NW**

AN ORDINANCE DESIGNATING CITY OF BARBERTON AGENTS FOR THE ADMINISTRATION OF THE CITY'S MITIGATION ASSISTANCE ACQUISITION/DEMOLITION PROJECT FUNDED UNDER THE HAZARDOUS MITIGATION GRANT PROGRAM (HMGP) AS A RESULT OF FEDERAL DECLARATION FEMA-DR-4360-OH, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Barberton has been made aware of flooding that has occurred in the area of 15th Street NW; and

WHEREAS, the City of Barberton has been made aware of federal assistance to mitigate the flooding in the area of 15th Street NW through Federal Emergency Management Agency's (FEMA's) Hazardous Mitigation Grant Program (HMGP); and

WHEREAS, the State of Ohio, through the Ohio Department of Public Safety's Ohio Emergency Management Agency, coordinates all sub-grant project applications for the State of Ohio on behalf of FEMA; and

WHEREAS, the City of Barberton has been notified by the Ohio Department of Public Safety's Ohio Emergency Management Agency that the Federal Emergency Management Agency (FEMA) has approved a grant award for the City of Barberton's project located in the area of 15th Street NW; and

WHEREAS, Barberton City Council finds that this proposed improvement will significantly further the health, safety and welfare of the citizens of Barberton and the community by removing a structure that is located within the Wolf Creek Flood Fringe.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That the Mayor, Service Director or Stormwater Manager for the City of Barberton are hereby authorized to execute for and on behalf of the City of Barberton, a public entity established under the laws of the State of Ohio, all documents associated with our application and to file them with the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 23rd Congress) or otherwise available from the President's Disaster Relief Fund.

SECTION 2. That the City of Barberton, a public entity established under the laws of the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such disaster assistance the assurances and agreements as listed in the Grant Agreement.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, in order to have the agreement executed in a timely manner, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2020

Clerk of Council

President of Council

Approved _____ 2020

Mayor