

AN ORDINANCE ACCEPTING \$5,000 FROM THE LORAIN COUNTY COMMISSIONERS BY THE CITY OF AVON LAKE TO BE EXPENDED ON LEGAL FEES, SURVEYS, PLANNING AND/OR ANY COSTS INCURRED IN THE CREATION OF ENABLING LEGISLATION FOR THE CREATION OF A SPECIAL IMPROVEMENT DISTRICT FOR THE PURPOSE OF CONSTRUCTION AND FINANCING SHORELINE IMPROVEMENTS AS AUTHORIZED BY OHIO REVISED CODE CHAPTER 1710 AND DECLARING AN EMERGENCY.

WHEREAS, Lorain County and the City of Avon Lake have a joint and shared interest to protect real property from coastal erosion; and

WHEREAS, the State of Ohio has authorized the creation of Special Improvement Districts to allow for the financing of the installation of shoreline improvement projects to prevent erosion along the Lake Erie Shore; and

WHEREAS, the County has convened meetings with the City of Avon Lake, the Lorain County Port Authority, Lorain Port Authority, and all other shoreline communities to discuss the implementation of Special Improvement Districts; and

WHEREAS, the City of Avon Lake owns lake front property that can benefit from a Special Improvement District to protect public access and public lands from shoreline erosion; and

WHEREAS, it has been found and determined that the creation of a Special Improvement District in the City of Avon Lake as allowed under Ohio Revised Code Chapter 1710 would be mutually beneficial to the City of Avon Lake and Lorain County.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the City of Avon Lake shall accept \$5,000 from the Lorain County Commissioners to be expended on legal fees, surveys, planning, and/or any costs the City of Avon Lake may incur in the creation of enabling legislation for the creation of a Special Improvement District for the purpose of constructing and financing Shoreline Improvements as authorized by O.R.C. Chapter 1710.

Section No. 2: It is further ordained that the City of Avon Lake acknowledges that the \$5,000 shall be a forgivable loan and the loan shall be

100% forgiven when the City of Avon Lake passes legislation creating the Special Improvement District and the legislation goes into effect.

Section No. 3: It is further ordained that if for any reason the City of Avon Lake does not enact and have legislation go into effect creating the Special Improvement District that the City of Avon Lake shall repay the \$5,000 received to the County of Lorain.

Section No. 4: 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 which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 5: That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City. Therefore, this Ordinance shall be in full force and effect immediately upon its adoption and approval by the Mayor.

PASSED: 3/08/2021

/s/ Martin E. O'Donnell

President of Council

POSTED: 3/12/2021

APPROVED: 3/09/2021

ATTEST: /s/Valerie E. Rosmarin
Clerk of Council

Gregory J. Zilka
Mayor