

**RESOLUTION NO. 71-2022**

Introduced by Matt Grieves

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN THE ERIE SOIL & WATER CONSERVATION DISTRICT AND THE CITY OF HURON RELATING TO THE HURON STORMWATER MANAGEMENT PLAN PROJECT.**

**WHEREAS**, the City of Huron has entered into an agreement with OHM Advisors for engineering services to develop a system-wide Stormwater Management Plan (Phase I) pursuant to Resolution No. 61-2022 adopted by Huron City Council on June 14, 2022; and

**WHEREAS**, the Erie Soil & Water Conservation District recognizes the need and value of stormwater infrastructure data as part of a Stormwater Management Plan; and

**WHEREAS**, both parties agree that an intergovernmental agreement to provide these services supports a regional approach to the delivery and fulfillment of Stormwater Management requirements.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:**

**SECTION 1.** The Huron City Council authorizes the City Manager to execute the Memorandum of Agreement between the Erie Soil & Water Conservation District and the City of Huron relating to the Huron Stormwater Management Plan Project, said Memorandum of Agreement to be substantially in the form of Exhibit "A" attached hereto and made a part hereof.

**SECTION 2:** That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22 of the Revised Code.

**SECTION 3:** This Resolution shall be in full force and effect from and immediately following its adoption.

ATTEST: Jenni Welkener  
Clerk of Council

Monty Tapp  
Monty Tapp, Mayor

ADOPTED: 09 AUG 2022



**MEMORANDUM OF AGREEMENT  
FOR PARTIAL FUNDING OF COMPREHENSIVE STORMWATER PLANNING  
IN THE CITY OF HURON, OHIO**

Upon this \_\_\_\_\_ day of \_\_\_\_\_, 2022 this Agreement is entered into between the Erie Soil & Water Conservation District “District”, and the City of Huron, “City”, for the purpose of providing partial funding for the comprehensive stormwater planning project within the City.

WHEREAS, the District recognizes the need and value of stormwater infrastructure data as part of a Stormwater Management Plan and;

WHEREAS, The City has received proposal(s) for needed survey and data collection and summary report; and,

WHEREAS, both parties agree that an intergovernmental agreement to provide these services supports a regional approach to the delivery and fulfillment of Stormwater Management requirements;

NOW, THEREFORE, the parties agree as follows:

1. The City, agrees to enter into a contract, with a provider of their choice, to provide data collection and field services to identify existing conditions, historic data, and mapping of infrastructure to allow the City to evaluate and prioritize stormwater management improvements throughout the community.
2. The District shall provide partial funding for the project in the amount of \$10,000 upon documentation from the City that a contract has been executed with a provider for these services. This allocation was made based on the scope of services and costs outlined in attached Exhibit “A” (OHM Advisors proposal dated April 20, 2022).
3. The City shall provide a copy of final report(s) to the District for reference and use in the provision of stormwater related services to the City.
4. The effective date of the Agreement shall be upon execution by all parties and shall be in effect for a twelve (12) month period. This Agreement may be extended upon service of written notice by either party of intent to extend the Agreement. Said notice shall be served no later than thirty days prior to the expiration of the original Agreement.
5. Notice. Any notice sent under this Contract shall be in writing and shall be hand delivered or sent by simultaneous U.S. Regular and U.S. Certified Mail, return receipt requested, or via recognized national overnight courier (e.g. Fed Ex, UPS, DHS, etc.), to:

**For the District**

Erie Conservation District  
Attn: District Director  
2900 Columbus Ave., Rm 131  
Sandusky, OH 44870

**For the City**

City of Huron  
Attn: Service Director  
417 Main Street  
Huron, OH 44839

6. The terms and conditions of this Agreement shall be amended upon providing written notice of amendment to the other party’s authorized representative. Any modification of

this Agreement shall be binding only if evidenced in writing, signed by the authorized representative of each party.


7. This Agreement may be terminated by either party by giving 30 days written notice of termination to the other party's authorized representative.
8. In the event of invalidation of any portion of this Contract, the remaining sections and subsections shall remain in effect for the duration of the Contract. The Parties may meet to negotiate new terms for the invalidated section or subsection if mutually agreeable.
9. In the event this Agreement is terminated pursuant to Paragraph 7 for any reason, the District shall have no further obligation to make payment to the City, except for payment for Services rendered and owed at the time of termination and the City shall have no further obligation to provide the Services contemplated by this Agreement.
10. This Agreement supersedes all other oral and written agreements between the parties with respect to the services that are the subject of this Agreement and contains all of the covenants and agreements between the parties.
11. The Parties understand and agree that neither Party will defend, indemnify or hold harmless the other; and, that the Parties will provide their own insurance policies for liability protection and insurances deemed necessary or appropriate by each party.
12. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

**FOR:**

Erie Soil and Water Conservation District

City of Huron

\_\_\_\_\_  
Eric Dodrill, District Director  
Erie Conservation District

  
\_\_\_\_\_  
Signatory, Title *Matthew Lasko*  
City of Huron *City Manager*

Approved to as to form:

  
\_\_\_\_\_  
Law Director, City of Huron

**EXHIBIT A**