

**ORDINANCE NO. 89-20****AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE MEDINA COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR PERFORMANCE ITEMS RELATED TO THE CITY'S NPDES STORMWATER PERMIT.**

**WHEREAS:** Federal EPA rules cause certain communities to fall within the Federal NPDES (National Pollutant Discharge Elimination System) five year permit cycle as a "MS-4 Phase II" jurisdiction. Medina City is such a jurisdiction, whose permit began April 1, 2009 and continues through 2020. This year we are beginning a new 5-year cycle for this permit. The City of Medina's Municipal Storm Water Program will be audited by the Ohio EPA for compliance to the Phase II plan; and

**WHEREAS:** An agreement is required by the permit for performance of items conducted on behalf of the permit holder by an appropriate assisting entity, in this case the Medina County Soil and Water Conservation District to provide certain public education and outreach requirements on behalf of the City.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That the Mayor is hereby authorized and directed to execute a Memorandum of Understanding with the Medina County Soil and Water Conservation District to provide certain public education and outreach requirements of the City's NPDES Permit on behalf of the City.

**SEC. 2:** That a copy of the Memorandum of Understanding is marked Exhibit A attached hereto and incorporated herein.

**SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage 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 the law.

**SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** May 11, 2020

**SIGNED:** John M. Coyne, III  
President of Council

**ATTEST:** Kathy Patton  
Clerk of Council

**APPROVED:** May 11, 2020

**SIGNED:** Dennis Hanwell  
Mayor

# Memorandum of Understanding

between

The City of Medina

and

Medina County Soil and Water Conservation District

ORD. 89.20  
EXH. A

**Background:** Federal EPA rules cause certain communities to fall within the Federal NPDES (National Pollutant Discharge Elimination System) five year permit cycle as a “MS-4 Phase II” jurisdiction. Medina City is such a jurisdiction. The existing general permit has expired as of 2019. As per EPA general permit rules, an expired permit continues in force and effect until a new general permit is issued. When the final new permit is in effect, we will review what is new and update any components that need to be addressed in the MOU. If a new MOU is needed, a meeting will be held by both Parties to discuss the new components and to seek a resolution. The City of Medina’s Municipal Storm Water Program will be audited by the Ohio EPA for compliance to the Phase II plan.

**Purpose:** An agreement is required by the permit for performance items conducted on behalf of the permit holder, the City of Medina, by an appropriate assisting entity, in this case, the Medina County Soil and Water Conservation District.

## **The City of Medina Agreement Items :**

The City of Medina will review their Phase II Stormwater Management Plan with the District as needed to comply with plan needs and requirements in the Public Involvement and Participation (MCM2) and Public Education and Outreach (MCM1) portions.

The City of Medina will assist the Medina County SWCD with access to local media outlets, community event opportunities, a letter of intent to the Medina City School Superintendent (if needed), “sign our streams” program signs, community groups, public surveys, etc.

## **The Medina County SWCD Agreement items :**

The Medina County Soil and Water Conservation District agrees to carry out and perform as stated in the Phase II Stormwater Management Plan for Medina City.

The existing MOU will remain in effect until a new permit has been approved. Once the new permit (2020) is issued, it will remain in effect until the next permit cycle.


The Medina County SWCD will annually provide Medina City with all required reporting activities and will provide the Medina City Phase II manager with the annual themes for Public Involvement and Public Education activities.

The Medina County SWCD will meet with the Medina City Phase II manager and the Medina City Stormwater Commission (if one exists) as necessary.

The Medina County SWCD will request a mid-year annual conservation appropriation from the Medina City Council for implementing Public Education and Outreach (MCM1) activities and Public Involvement and Participation (MCM2) activities your jurisdiction.

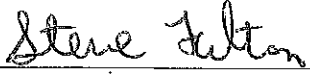
The fore mentioned parties agree to the memorandum of understanding:

For the City of Medina:

  
Mayor Dennis Hanwell

Date: May 11, 2020

For Medina County Soil and Water Conservation District Board of Supervisors:

  
Chairperson

Date: 1-31-2020

This memorandum of understanding can be amended by either party at any time as necessary with appropriate and timely concurrence by each party.