

RESOLUTION NO. 2009 – 15

RESOLUTION AUTHORIZING THE PORT OF GREATER CINCINNATI DEVELOPMENT AUTHORITY TO APPLY FOR, RECEIVE, AND UNDERTAKE WORK USING FUNDS OR DIRECT ASSISTANCE PURSUANT TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TARGETED BROWNFIELD ASSESSMENT GRANT PROGRAM

WHEREAS, in the Amended and Restated Agreement for the Creation of the Port of Greater Cincinnati Development Authority (the “Port Authority”), the City of Cincinnati, Ohio and the County of Hamilton, Ohio each determined that pursuant to Revised Code Section 4582.22 the Port Authority has substantially all powers permitted under Revised Code Sections 4582.21 through 4582.59 (as amended from time to time, the “Port Act”); and

WHEREAS, the United States Environmental Protection Agency (US EPA) has established a Targeted Brownfield Assessment grant program to provide funding or direct assistance to a grant recipient to complete “all appropriate inquiry” assessments (Phase I assessments), in-depth environmental site assessments (Phase II assessments), and evaluation of cleanup options and/or cost estimates based on future uses and redevelopment plans related to a specific property proposed for Brownfield Redevelopment; and

WHEREAS, one of the responsibilities of the Port Authority is to restore and redevelop brownfield sites and the US EPA specifically identifies Port Authorities as being eligible to apply for funds or receive direct assistance to assess, clean up, and redevelop brownfields; and

WHEREAS, this Board has determined that it is necessary to submit a request for a Targeted Brownfield Assessment grant or direct assistance in connection with the properties located in the Cincinnati neighborhood known as South Fairmont in order to perform an area-wide Phase I assessment and limited Phase II assessments in support of the Port Authority’s mission;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Port of Greater Cincinnati Development Authority:

Section 1. The Port Authority staff is hereby authorized for and in the name of the Port Authority and on its behalf and on behalf of this Board, to apply for and receive US EPA Targeted Brownfield Assessment grant funds or direct assistance; and to take all necessary actions to implement work under any such grant or award of direct assistance to complete Phase I and Phase II assessments in the targeted area.

Section 2. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with the law.

Section 3. This Resolution shall be in full force and effect upon its adoption.

Adopted: November 13, 2009

Yeas: 7

Chairperson

Nays: 0

Attest: _____
Secretary