

FIRST READING: 4.26.21
SECOND READING: 5.3.21
THIRD READING: 5.10.21

RESOLUTION NO. 24-21

BY: DAVID W. FURRY

AN EMERGENCY RESOLUTION REQUESTING THAT THE CITY OF ROCKY RIVER APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) LOAN AGREEMENT ON BEHALF OF THE WASTEWATER TREATMENT PLANT FOR PLANNING AND DESIGN OF THE CEPT AND FINAL CLARIFIER IMPROVEMENTS PROJECT; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN:

WHEREAS, the Rocky River Wastewater Treatment Plant is seeking to upgrade its existing wastewater facility; and

WHEREAS, the Rocky River Wastewater Treatment Plant intends to apply for a low interest Water Pollution Control Loan Fund (WPCLF) loan agreement for the planning and design of the wastewater facilities; and

WHEREAS, the Wastewater Treatment Management Committee on April 13th voted unanimously to approve the RRWWTP Superintendent and the City of Rocky River to apply, accept, and enter into a WPCLF loan agreement; and

WHEREAS, the Ohio Water Pollution Control Loan Fund (WPCLF) requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; now therefore,

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROCKY RIVER CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Mayor of the City of Rocky River be and is hereby authorized to apply for a WPCLF loan, sign all documents for, and enter into a Water Pollution Control Loan Fund (WPCLF) loan agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning and design of the wastewater facilities on behalf of the Rocky River Wastewater Treatment Plant in Rocky River, Ohio.

SECTION 2. That the dedicated source of repayment will be the Rocky River Wastewater Treatment Plant Utility Fund or the Capital Fund.

SECTION 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health and safety and for the further reason that services referred to above must be expedited due to deteriorating conditions of the WWTP and NPDES requirements, and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

I, the undersigned clerk of council of the City of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 10th day of May, 2021.

PASSED: May 10th, 2021

PRESENTED TO
MAYOR: May 10th, 2021

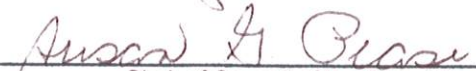
ATTEST:


SUSAN G. PEASE
CLERK OF COUNCIL


JAMES W. MORAN
PRESIDENT OF COUNCIL

APPROVED: May 10th, 2021


PAMELA E. BOBST
MAYOR


Clerk of Council of the City of Rocky River, Ohio



**Division of Environmental & Financial Assistance (DEFA)
Office of Financial Assistance (OFA)**

50 West Town Street, Suite 700, Columbus, Ohio 43215
Ph. 614.644.2798 [E-mail: deftamail@epa.ohio.gov](mailto:deftamail@epa.ohio.gov)
www.epa.ohio.gov/dela/ola

This nomination must be completed in its entirety

The following checklist highlights the information that is necessary for Ohio EPA review the project and to help us prioritize project schedules. We request that you submit the following with the nomination form:

Nomination Checklist

- ☐ For **Planning loans**, submit a scope of services and/or an A/E agreement
- ☒ For **Design loans**, submit the applicable project planning information along with the scope of services and/or an A/E agreement
- ☐ For **Construction loans**, submit the project planning information as well as any Basis of Design documents and/or Preliminary Engineering Reports.

In addition to the items above, the following are required for all project nominations:

- ☒ A copy of Legislation authorizing current water and sewer rates/tap-in fees. For WSRLA loans, please include both water and wastewater information. *Note: To obtain a loan from Ohio EPA, the borrower is required to pledge the user revenues derived from the ownership and operation of their system as the security instrument for repayment of the loan.*
- ☐ Documentation supporting creation of Water and Sewer District (for new districts).
- ☒ Submit a location map of the project area. The map should be either a 7.5 minute USGS topographic map that shows all the project features or a more detailed property map that shows all the project details.
- ☒ Additional documentation requested or required within the application itself. Failure to do so may impact your project's ranking.

Once signed and dated, please submit this complete form along with the above-mentioned documents to: deftamail@epa.ohio.gov

Please include the loan applicant and project name in the subject line.

ONLY electronic submittals will be accepted.

**** PLEASE NOTE: Regardless of the number of nominations/re-nominations an Entity submits, there will only be ONE auto-response from the DEFAMail submission box.**

Division of Environmental & Financial Assistance (DEFA)
Office of Financial Assistance (OFA)
WPCLF/WSRLA Nomination Form

This nomination must be completed in its entirety.

1.0 Program Funding Selection

Please indicate what type of project funding is needed. If you type "not to be used" in the box, you are indicating you do not want to use the funding.

- ☒ Wastewater
- ☒ WPCLF Re-Nomination
- ☐ Drinking Water
- ☐ WSRLA Re-Nomination
- ☐ HSTS
- Water Pollution Control Loan Fund (WPCLF)
- If known, provide the WPCLF number (Ex. CS39XXXX-XXXX)
- Water Supply Revolving Loan Account (WSRLA)
- If known, provide the WSRLA number (Ex. FS39XXXX-XXXX)
- Household Sewage Treatment System (HSTS)

CS39

FS39

2.0 Borrower's Information

Entity (County, City, Village, or District)	County	Cuyahoga	PWS ID	City of Rocky River	DUNS#	07-776-5964	System Population	86,000
							Population served by the Project:	86,000

3.0 Project Name and Description

Project Name: Rocky River WWTP CEPT and Final Clarifier Improvements

In the box below, please provide a brief description of the project for which you are requesting funding.

Per the 2011 Rocky River NPDES permit, the WWTP has proposed implementation of Chemically Enhanced Primary Treatment for flow up to 120 MGD through improvements at the Excess Flow Primary Clarifiers. This project would include updates to applicable ancillary systems including primary treatment, sludge pumping, chemical storage, HVAC Disinfection/Dechlorination and electrical systems. In addition, significant operational issues that

4.0 Funding Type, Estimated Project Amounts, and Proposed Loan Award Date

Enter an estimated loan award date and amount. This date should be the 1st of the month in which the loan will be awarded. The estimated loan date will autofill the Project Schedule on TAB 5. ***NO LOANS ARE AWARDED IN NOVEMBER AND DECEMBER LOANS ARE AWARDED ON THE 2ND THURSDAY OF DECEMBER. For HSTS projects, enter the amount of principal forgiveness requested in the estimated loan amount column.

☐ Planning Loan			Estimated Loan Award Date (month/year)	Estimated Loan Amount
☒ Design Loan	May-21			\$2,486,000.00
☐ Construction Loan				
☐ Household Sewage Treatment Systems	May-22			

5.0 Available Programmatic Discounts

Please consider our project for the following interest rate discount (construction loans only)

Wastewater Discounts:

- ☐ Water Resource Restoration Sponsor Program (WRRSP)
- ☐ Back-up Power
- ☐ Household Sewage Treatment Systems
- ☒ Nutrient Reduction Discount
- ☒ Regionalization Discount
- ☐ Other (Specify)
- Construction projects are eligible to receive up to \$50,000 in principal forgiveness for back-up power costs.
- Local Health Districts are eligible for up to \$150,000 in principal forgiveness for HSTS repair and replacement.
- The WPCLF is offering 0% interest rate funding for projects that reduce nutrients at WWTPs. Nominations may be submitted throughout the program year.
- The WPCLF is offering 0% interest rate funding for regionalization projects.

Drinking Water Discounts:

- ☐ Harmful Algal Bloom (HAB) Discount
- ☐ Regionalization Discount
- ☐ Per- and Polyfluoroalkyl Substances (PFAS)
- ☐ Lead Service Line Replacement
- ☐ Other (Specify)
- The WSRLA is offering 0% interest rate funding for HAB projects. Nominations may be submitted throughout the program year.
- The WSRLA is offering 0% interest rate funding for Regionalization projects.
- The WSRLA is offering 0% interest rate funding for PFAS projects. Nominations may be submitted throughout the program year.
- The WSRLA is offering principal forgiveness for LSL replacement projects. Nominations may be submitted throughout the program year. Funding is only available until June 2022.

6.0 Contact Information

Please designate the best contact by checking the box next to the contact options listed below. This will aid our office in assisting you should there be any project questions.

☐ Borrower's Authorized Representative

Name	Pamela Bonst	Title	Mayor
Address	21012 Hilliard Blvd		
City	Rocky River	Zip	44116
Telephone	440-331-0600	Cell	
Email	mayor@rrcity.com		

☐ Borrower's Additional Contact (If different than Borrower's Authorized Representative)

Name	Michael Thomas	Title	Director of Finance
Address	21012 Hilliard Blvd		
City	Rocky River	Zip	44116
Telephone	440-331-0600	Cell	
Email			

☒ System Operator

Name	Nicholas Barille	Title	Superintendent
Address	2240 S Lake Road		
City	Rocky River	Zip	44116
Telephone	440-895-2543	Cell	
Email	nbarille@rrcity.com		

Consulting Engineer

Name	Roselyn D. Matthews, PhD, PE	Title	Project Manager
Firm	Hazen and Sawyer		
Address	6133 Riverside Road, Suite 203		
City	Independence	Zip	44131
Telephone	216-503-5606	Cell	
Email	rmatthews@hazensawyer.com		

7.0 Source of Pledged Revenues

To obtain a loan from Ohio EPA, the Borrower is required to pledge the user revenues derived from the ownership and operation of their system (i.e. user charge system) as the security instrument for the repayment of the loan. It can also be used as the dedicated source of repayment. The user revenues, after deductions for the operating and maintenance and previous debt obligations, must be able to support the repayment of the loan. However, unless prohibited by law, the Borrower can also choose any of the following as a dedicated source of loan repayment, with the user rates remaining as the security.

Please indicate the intended source of loan repayment below. (More than one source can be used.)

Revenue from:

- ☒ User Charges
☐ General Taxes
☐ Assessments. Provide authorizing legislation.
☒ Other. Indicate source: _____
☐ Other. Indicate source: _____

8.0 Other Funding Sources

Indicate any other loans and/or grants the entity may be securing for this project. Please include the estimated procurement date and amount.

Est. Procurement Date	Est. Amount	Est. Procurement Date	Est. Amount
OWDA		(G) bonds	
OPW		Revenue Bonds	
CDRG		USDA RPL Loans	
ARC		Other	
		Specify Other Funding Source	

9.0 WPCLE Required Environmental Information

Do any of the following apply to your project? If so, please attach the corresponding data or information that indicates how the following items will be addressed by the project. A detailed description of the items listed below can be reviewed in the loan nomination instructions.

- ☐ Sewage Backups* ☐ Failing Household Sewage Treatment Systems
☐ Dry Weather Overflows* ☐ Potential Impacts to Ground Water
☒ Wet Weather Overflows* ☒ Potentially Impacted Surface Waters
☐ Surface Water Exceeds WQS for Bacteria

10.0 Sewage Overflow Control Information

If you checked any of the items with an asterisk (*) in the section above then your project is intended to address public health or water quality impacts due to either dry or wet weather overflows from either sanitary sewers or combined sewers.

This project will reduce the number of backup events by 50% or more, or eliminate occurrences of backups into buildings due to inadequate capacity of sewers or equalization basins to handle flows during wet weather conditions. **Answer Question 1** **No**

This project will eliminate dry weather overflows (these are not WWTTP bypasses) due to inadequate capacity of sewers to carry flows during dry weather conditions from either a sanitary sewer system or a combined sewer system. **Answer Question 2** **No**

This project will reduce or eliminate the volume or frequency of one or more wet weather overflows (not WWTTP bypasses) by constructing separate sewers (installing new storm and/or sanitary sewers). **Answer Question 3** **No**

This project will reduce or eliminate the volume or frequency of one or more wet weather overflows (not WWTTP bypasses) by constructing additional storage of wet weather flow. **Answer Question 3** **No**

This project will reduce or eliminate the volume or frequency of one or more wet weather overflows (not WWTTP bypasses) by constructing additional treatment at combined sewer overflows (CSO) outfalls (e.g. swirl concentrators). **Answer Question 3** **No**

This project will reduce or eliminate the volume or frequency of one or more wet weather overflows (not WWTTP bypasses) by constructing express sewers to route sanitary flow out of the combined sewer directly to the WWTTP. **Answer Question 3** **No**

Question # 1: Sewage Backups in Basements or onto Streets or Properties

Number of basement/residential street/property backup occurrences due to inadequate capacity of sewers that have activated within the past two calendar years _____

Number of expected backup occurrences due to inadequate capacity of sewers after construction of this project is completed (must achieve 50% or greater reduction in occurrences to be awarded these points). _____

Question # 2: Dry Weather Overflows

Number of dry weather overflow occurrences due to inadequate capacity of sewers that have activated within the past two calendar years. (Attach a list of locations of dry weather overflows due to inadequate capacity of sewers) _____

Question # 3: Wet Weather Overflows (indicate only one overflow point per line - attach additional info)

Name/ID of sewer overflow(s) _____ Has this overflow been active in the _____

Will this overflow be eliminated? _____

Stream to which the sewer overflow(s) discharges _____

NPDES# PE00009603

23

No

Spencer Creek and Lake Erie

11.0 Wastewater Rate Information

Is sewer service currently provided to residents in the proposed project's service area? **Yes**
If Yes, attach a copy of the Sewer Rate Ordinance, Resolution, current rates and user charges. Be sure to specify the basis (i.e., ft³ or 1,000s of gallons) as well as the billing period (i.e., monthly or quarterly). If sewer users are not charged, explain _____

The Rocky River WWTTP is funded per the organizing charter by a Flow and Strength study that determines total invoice to each owner community. Each owner community then sets their own sewer use fees.

Additional Description of Project referenced in Section:

3.0 PROJECT NAME AND DESCRIPTION

Project Name: Rocky River WWTP CEPT and Final Clarifier Improvements

Description:

Per the 2011 Rocky River NPDES permit, the WWTP has proposed implementation of Chemically Enhanced Primary Treatment for flow up to 120 MGD through improvements at the Excess Flow Primary Clarifiers. This project would include updates to applicable ancillary systems including primary treatment, sludge pumping, chemical storage, HVAC Disinfection/Dechlorination and electrical systems. In addition, significant operational issues, in combination with aged infrastructure, described in the previous nomination form, took place over the winter months of 2019. This operational failure caused major damage to the Final Clarifiers' mechanisms which will be replaced as part of the project. Both projects were originally nominated separately in 2020 but to optimize scheduling and reduce cost across both projects, the projects were combined into one project and re-nominated to reflect the change for a 2021 loan.

Additionally, the "Estimated Loan Amount" referenced in the nomination document was estimated when both projects were nominated separately in 2020. This amount is the sum of both project nomination estimates at the time of initial nomination acceptance in 2020. This was an estimated loan amount and does not reflect the actual loan amount which is yet to be determined.