

## **RESOLUTION**

(Authorization to Make Application for and Receive Financial Assistance)

**WHEREAS**, the Mayor and Aldermen of the City of Savannah, herein after referred to as the City of Savannah is a "state" or "local government" as defined in the Rules of Georgia Department of Natural Resources, Environmental Protection Division (hereinafter, "EPD Rules"), Rule number 91-3-19-.09; and

**WHEREAS**, the City of Savannah is a municipal corporation within the meaning of O.C.G.A. Section 12-8-95(b) (4) and EPD Rule 391-3-19-.09; and

**WHEREAS**, the sites more particularly described in Exhibit "A" attached hereto are solid waste handling facilities as defined by EPD Rule 391-3-4-.10(67) (hereinafter, "the Site"), and have been placed on the Hazardous Site Inventory pursuant to the Hazardous Site Response Act (O.C.G.A., Section 12-8-90 et. seq.); and

**WHEREAS**, the Director of the Georgia Department of Natural Resources, Environmental Protection Division ("EPD") has notified the City of Savannah in writing that it is a "Responsible party" (as defined in EPD Rule 391-3-19-.02(2) (s)) for these Sites; and

**WHEREAS**, the City of Savannah has expended certain costs associated with the remediation of these sites, site related work and obligations, Corrective Action Plan (CAP) Amendments (hereinafter, "the Costs"); and

**WHEREAS**, the Costs (or a portion thereof) may be eligible for reimbursement to the City of Savannah by the Director of EPD from the Hazardous Waste Trust Fund (pursuant to O.C.G.A. Section 12-8-90 et seq., EPD Rule 39-3-19.09 and other pertinent law), provided said Costs (or portion thereof) are determined by EPD to be "Eligible Costs" (as defined in EPD Rule 391- 3-19- .09(4)(a)), and provided the City of Savannah has met the "Eligibility Requirements" set forth in EPD Rule 391-3-19-.09(2); and

**WHEREAS**, the said "Eligibility Requirements" set forth in EPD Rule 391-3=19-.09(2) require, among other things, that the following criteria be met in order for the Costs (or portion thereof) to be eligible for reimbursement: "...(c) the state or local government has adopted an authorizing resolution; and (F) the state or local government has submitted to the Director (of EDP) a completed application for Financial assistance on forms as provided by the Director. . ."; and

**WHEREAS**, the City of Savannah desires to make application to EPD for reimbursement of the Costs (or a portion thereof) on the form(s) provided by the Director of EPD (as completed and attached hereto as Exhibit "B"), and to take any other action which may be necessary or appropriate to have the Costs (or portion thereof) fully considered for such purposes; and

**WHEREAS**, in the event the attached applications are approved by EPD, the City of Savannah desires to receive the sums approved by EPD as reimbursement of the Costs (or a portion thereof), and to process, administratively handle and utilize said sums for such approved purposes; and

**WHEREAS**, the City of Savannah is confident that it can otherwise satisfy the "Eligibility Requirements" set forth in EPD Rule 391-3-19-.09(2);

**NOW, THEREFORE, BE IT RESOLVED** that the City Manager is hereby fully authorized to complete and execute the applications attached hereto as Exhibit "B " on behalf of the City of Savannah, and to submit same to EPD for its consideration.

**BE IT FURTHER RESOLVED** that the City of Savannah is hereby authorized to take any and all other action, without further approval or action of the Mayor and Alderman (including, but not limited to, executing supplemental forms, application amendments, additional applications and the like, and providing additional information or documentation), which may be necessary or appropriate in order for the Costs (or portion thereof) to be fully considered by EPD for reimbursement from the Hazardous Waste Trust Fund in accordance with the provisions of O.C.G.A. Section 12-8-90 et seq., EPD Rule 391-3-19-.09, and other pertinent law.

This \_\_\_\_\_ Day of \_\_\_\_\_, 2020.

The City of Savannah

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Honorable Van Johnson, Mayor

ATTEST:

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CLERK OF COUNCIL