

RESOLUTION NO. 027-18R

**A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE U.S. DEPARTMENT OF TRANSPORTATION THROUGH THE US DEPARTMENT OF TRANSPORTATION FOR THE FY 2018 BETTER UTILIZING INVESTMENTS TO LEVERAGE DEVELOPMENT (BUILD) DISCRETIONARY PROGRAM GRANT FOR THE SANDUSKY BAY PATHWAY; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the U.S. Department of Transportation (DOT) has allocated \$1.5 billion in discretionary grant funding through the Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grants program with a maximum grant award of \$25 million, and no more than \$150 million to a single State, as specified in the Consolidated Appropriations Act of 2018; and

**WHEREAS**, BUILD Transportation grants replace the pre-existing Transportation Investment Generating Economic Recovery (TIGER) grant program and as the Administration looks to enhance America's infrastructure, FY 2018 BUILD Transportation grants are for investments in surface transportation infrastructure and are to be awarded on a competitive basis for projects that will have a significant local or regional impact and BUILD funding can support roads, bridges, transit, rail, ports or intermodal transportation; and

**WHEREAS**, this City Commission approved an agreement with Environmental Design Group of Akron, Ohio, for professional services to prepare the grant application to be submitted to the U.S. Department of Transportation for financial assistance through the BUILD Discretionary Grant program for the Sandusky Bay Pathway by Ordinance No. 18-134, passed on June 25, 2018; and

**WHEREAS**, if awarded, these funds will be used to construct the remaining portions of the Sandusky Bay Pathway; and

**WHEREAS**, the project cost, excluding design, is \$18,539,931.17 and the City will be applying for grant funds in the amount of \$13,904,948.38 and will propose a 25% match of \$4,634,982.79 which will be paid with Capital Project Funds (Pedestrian Bike Path Construction), Downtown/Battery Park TIF Funds, and Cleveland Road TIF Funds; and

**WHEREAS**, the design cost for the project, which is not eligible for grant funding, is \$2,224,791.74, and will also be paid with Capital Project Funds (Pedestrian Bike Path Construction), Downtown/Battery Park TIF Funds, and Cleveland Road TIF Funds; and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to submit the application for the FY 2018 BUILD Discretionary Grant program to the U.S. Department of Transportation by the submission deadline of July 19, 2018; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of Municipal Departments, including the Department of Community Development, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in

accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is hereby authorized to execute and submit an application on behalf of the City of Sandusky to the U.S. Department of Transportation for financial assistance through the FY 2018 BUILD Discretionary Grant program pursuant to the Consolidated Appropriations Act, 2018 (Pub. L. 115-141) and to execute any contracts or agreements on behalf of the City and lawfully expend funds consistent with the application should they be awarded.

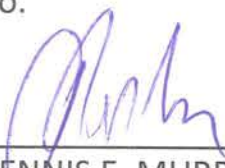
Section 2. The City Manager is authorized to execute and file with the City's application all understanding, certifications and assurances or any other documentation required by the U.S. Department of Transportation.


Section 3. The City Manager is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the City's application.

Section 4. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 6. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

  
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DENNIS E. MURRAY, JR.  
PRESIDENT OF THE CITY COMMISSION

ATTEST:   
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KELLY L. KRESSER  
CLERK OF THE CITY COMMISSION