

RESOLUTION NO. 009-20R

A RESOLUTION APPROVING THE SUBMISSION OF AN APPLICATION TO THE ERIE REGIONAL PLANNING COMMISSION METROPOLITAN PLANNING ORGANIZATION (MPO) FOR FINANCIAL ASSISTANCE FOR THE EAST WATER STREET RESURFACING PROJECT AND, IF AWARDED, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO THE LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the National Transportation Act has made available certain Federal funding for use by Local Public Authorities (LPA's like the City of Sandusky) through the Federal Highway Administration (FHWA) which has designated the Ohio Department of Transportation (ODOT) as the agency to administer FHWA's Federal funding programs; and

WHEREAS, the Ohio Revised Code provides that ODOT may coordinate its activities and enter into contracts with appropriate public authorities like the City of Sandusky to administer the design, qualification of bidders, competitive bid letting, construction, inspection, and acceptance of any projects administered by ODOT provided such administration is performed in accordance with all applicable Federal and State laws and regulations; and

WHEREAS, if approved this grant funding will provide for improvements to East Water Street from Franklin Street to Meigs Street and includes milling existing pavements, resurfacing with intermediate and surface courses of asphalt, full depth and partial depth base repairs, limited curb and gutter improvements, adjustments to manholes, catch basins and valve boxes, new ADA curb ramps and pavement markings, and also includes almost 1500 feet of the Sandusky Bay Pathway and "bump-outs" of the curbing; and

WHEREAS, the total estimated cost of the project is \$600,604.18 and, if awarded, \$465,945.30 will be paid with FHWA funds received through ODOT and the Erie County Metropolitan Planning Organization and the remaining balance of \$123,858.88 will be allocated in the 5-year Capital Budget from an account with funds available for infrastructure such as Community Development Block Grant Funds, Issue 8, Water Funds, Sewer Funds, Storm Water Funds, Street Funds, or General 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 to the Erie County Metropolitan Planning Organization (MPO) by the deadline of April 30, 2020; 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 the Municipal Departments, including the Department of Public Works, 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,

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THEREFORE,

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

Section 1. This City Commission hereby approves the submission of an application for financial assistance to the Erie Regional Planning Commission Metropolitan Planning Organization (MPO) for the East Water Street Resurfacing Project, and authorizes and directs the City Manager to sign and enter into a **LPA Federal Local-Let Project Agreement** with the Ohio Department of Transportation and lawfully expend funds consistent with the application and agreement should they be awarded.

Section 2. 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 3. 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 4. 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.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST:



KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: March 23, 2020