

RESOLUTION NO. 019-22R

A RESOLUTION ADOPTING THE PRELIMINARY LEGISLATION SUBMITTED BY THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE SANDUSKY / US 6 RAISE GRANT APPLICATION, PID NO. 116570; AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN THE PRELIMINARY LEGISLATION AND TO EXECUTE ANY NECESSARY CONTRACTS WITH THE DIRECTOR OF TRANSPORTATION FOR THIS PROJECT; 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 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant funds made possible by President Biden’s Bipartisan Infrastructure Law; and

WHEREAS, the RAISE Discretionary Grant program, provides a unique opportunity for the DOT to invest in road, rail, transit and port projects that promise to achieve national objectives; and

WHEREAS, previously known as the Better Utilizing Investments to Leverage Development (BUILD) and Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grants, Congress has dedicated nearly \$9.9 billion for thirteen rounds of National Infrastructure Investments to fund projects that have a significant local or regional impact; and

WHEREAS, City Staff has been working with the Ohio Department of Transportation (ODOT), Erie County Commissioners, Erie Regional Planning Commission (ERPC), the City of Huron, Huron Township, Perkins Township, and Norfolk Southern to develop a multi-jurisdictional transportation, bicycle and pedestrian project for submittal for Rebuilding American Infrastructure with Sustainability and Equity (RAISE) funding from the Federal government; and

WHEREAS, the consent legislation, a copy of which is attached to this Resolution and marked Exhibit “A”, is necessary for the Director of the Ohio Department of Transportation to complete and submit an application for funding through the RAISE funding program for the proposed US 6 Connectivity Corridor Including Sandusky Bay Pathway Project involving constructing portions of the Sandusky Bay Pathway from Cedar Point Drive to Hemminger Ditch including the Pipe Creek Bridge all within the City of Sandusky; and

WHEREAS, additional project elements outside the City of Sandusky will include a multi-use path along US 6 from Sports Force Park to Rye Beach Road then south on Rye Beach Road to Sawmill Parkway, widening of US 6 from Camp Road to Rye Beach Road for installation of a two-way left turn lane (TWLTL), a roundabout at US 6 and Perkins Avenue, a roundabout at US 6 and Camp Road, a roundabout at US 6 and Rye Beach Road, and evaluation of possible roundabouts at US 6 & SR 2 ramps; and

WHEREAS, the City will assume and bear the design and right-of-way costs for the portion of the Sandusky Bay Pathway from Cedar Point Drive to Hemminger Ditch; and

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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 allow the preliminary legislation to be executed and delivered to ODOT prior to the April 15, 2022, grant deadline; 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, THEREFORE,

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

Section 1. The preliminary legislation submitted by the Director of the Ohio Department of Transportation, a copy of which is attached to this Resolution and marked Exhibit "A", for the Sandusky / US 6 Raise Grant Project, PID No. 116570, consenting to the Director of Transportation to complete and submit a grant application for Rebuilding American Infrastructure with Sustainability and Equity (RAISE) funding, is adopted by this City Commission and the President of this City Commission is authorized to sign the preliminary legislation.

Section 2. The City Manager is hereby authorized and directed to sign the preliminary legislation and to execute any necessary contracts with the Director of Transportation for the Sandusky, US 6 Raise Grant Project, PID No. 116570.

Section 3. 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 4. 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 5. 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

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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: _____
CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: March 28, 2022

PRELIMINARY LEGISLATION

Ordinance/Resolution No. 019-22R

PID No. 116570

Sandusky/US 6 Raise Grant

The following 019-22R enacted by the City of Sandusky, Ohio,
(Ordinance/Resolution)
hereinafter referred to as the City, in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the State and the City have agreed to apply for funding from the Raise Grant Federal funding program for the following described project:

ERI US 6 RAISE Grant Application will construct portions of the Sandusky Bay Pathway from Cedar Point Drive to Hemminger Ditch all inside the City of Sandusky.

Additional project elements, outside the City of Sandusky will include a Multi-use path along US 6 from Sports Force Park to Rye Beach Rd then south on Rye Beach Rd to Sawmill Pkwy, a Roundabout at US 6 & Perkins Ave, Roundabout at US 6 & Camp Rd, Roundabout at US 6 & Rye Beach Rd, Roundabout at US 6 & SR 2 WB Ramp, Roundabout at US 6 & SR 2 EB Ramp and widening of US 6 from Camp Rd to Rye Beach Rd to install a two-way left turn lane (TWLTL)

Construction would be phased with the portion within the City of Sandusky advancing separately from the portions outside the City, likely in calendar year 2024.

NOW THEREFORE, be it ordained by the City of Sandusky, Ohio.

SECTION II - Consent Statement

Being in the public interest, the City would be provided with a directly proportionate amount of the awarded funds, and would proceed separately from those portions outside the City of Sandusky as needed.

SECTION III - Cooperation Statement

The City shall cooperate with the Director of Transportation, for the portion of this project within the Sandusky Corporation limit, as follows:

- 1) *The City agrees to assume and bear the design and right of way costs for the portion of the Sandusky Bay Pathway from Cedar Point Drive to Hemminger Ditch;*

SECTION IV - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the City shall:

- 1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law;
- 2) provide ample financial provisions, as necessary, for the maintenance of the described project;
- 3) maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.

SECTION V – Utilities and Right-of-Way Statement

The City agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual

_ March 28, 2022.
(Date)

Attested: Commission Clerk		
(Clerk)		(Officer of City - title)

Attested: Commission President		
(Title)		(President of Council)

This 019-22R is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO
City of Sandusky of Erie County, Ohio

I, Cathleen A. Myers, as Clerk of the City of Sandusky of Erie County, Ohio,

Do hereby certify that the foregoing is a true and correct copy of 019-22R adopted by
(Ordinance/Resolution)

the legislative Authority of the said City of Sandusky on this 28 day of March , 2022,

that the publication of such 019-22R has been made and certified of record according to
(Ordinance/Resolution)

law; that no proceedings looking to a referendum upon such 019-22R have been taken;
(Ordinance/Resolution)

and that such 019-22R and certificate of publication thereof are of record in
(Ordinance/Resolution)

019-22R, Page 1-3.
(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 28 day of March, 2022,

(SEAL)
(If Applicable)

Clerk Signature
City of Sandusky of Erie County, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of Sandusky of Erie County, Ohio

Attest: _____, Date _____
Contractual Officer