

RESOLUTION NO. 016-24R

A RESOLUTION ADOPTING THE CONSENT LEGISLATION SUBMITTED BY THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE STATE ROUTE 2 PAVEMENT REPAIRS IN SANDUSKY PROJECT, PID NO. 115168; AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN THE CONSENT 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 consent legislation, a copy of which is attached to this Resolution and marked Exhibit "1", is necessary for the Director of the Ohio Department of Transportation to provide services to resurface pavement using an asphalt concrete overlay and perform pavement repairs in the City of Sandusky and this project includes State Route 2 from the Ottawa County Line to State Route 4 interchange, including a small segment of the highway that passes through the southwest corner of the City limits; and

WHEREAS, the consent legislation, Exhibit "A" attached to this Resolution, provides the terms of the agreement and cooperation between the City of Sandusky and the Director of Transportation regarding the completion of the project; and

WHEREAS, no funds are required from the City except that the City agrees to assume and bear 100% of the total cost for added construction items requested by the City and not necessary for the improvements as determined by the State and the Federal Highway Administration; 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 execute and return the consent legislation to the Ohio Department of Transportation prior to April 25, 2024 as requested; 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 consent legislation submitted by the Director of the Ohio Department of Transportation, a copy of which is attached to this Resolution and marked Exhibit "1", for the State Route 2 Pavement Repairs in Sandusky Project, PID No. 115168, consenting to the Director of Transportation to complete the project, is adopted by this City Commission and the President of this City

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Commission is authorized to sign the consent legislation.

Section 2. The City Manager is hereby authorized and directed to sign the consent legislation and to execute any necessary contracts with the Director of Transportation to complete the State Route 2 Pavement Repairs in Sandusky Project, PID No. 115168.

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 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 25, 2024

CONSENT LEGISLATION

Ordinance/Resolution No. _____

PID No. 115168

Project Name ERI-2-0.00

The following _____ enacted by the City of Sandusky of Erie County, Ohio,
(Ordinance/Resolution)
hereinafter referred to as the City, in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the State has identified the need for the described project:

To resurface pavement using an asphalt concrete overlay and perform pavement repairs in the City of Sandusky in Erie County. This project includes State Route 2 from SLM 0.00 (Ottawa county line) to SLM 7.72 (SR 4 interchange), State Route 2 from SLM 3.706 to SLM 4.761 is within City limits.

This project is currently scheduled to be constructed in the summer of 2025.

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

SECTION II - Consent Statement

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The City shall cooperate with the Director of Transportation in the above described project as follows:

- 1) *The City gives consent for the above improvement,*
- 2) **No funds are required from the City** *except that the City agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the City and not necessary for the improvement as determined by the State and the Federal Highway Administration.*

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.*

EXHIBIT "1"

SECTION V - Utilities and Right-of-Way Statement

If City owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the City will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

SECTION VI - Authority to Sign

The _____ of said City of Sandusky is hereby empowered on behalf
(Contractual Agent)
of the City of Sandusky to enter into contracts with the Director of Transportation
necessary to complete the above described project.

Passed: _____, 202____.
(Date)

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

Attested: _____
(Title) (Mayor)

This _____ is hereby declared to be an emergency measure to expedite the highway
(Ordinance/Resolution)
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, _____, as Clerk of the City of Sandusky of Erie County, Ohio,

Do hereby certify that the foregoing is a true and correct copy of _____ adopted by
(Ordinance/Resolution)
the legislative Authority of the said City of Sandusky on this ____ day of _____, 202__,

that the publication of such _____ has been made and certified of record according
to

(Ordinance/Resolution)
law; that no proceedings looking to a referendum upon such _____ have been
taken;

(Ordinance/Resolution)
and that such _____ and certificate of publication thereof are of record in
(Ordinance/Resolution)

_____, Page _____.
(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if applicable, this ____ day of _____, 202__,

(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