

1 RESOLUTION NO. 2019-081

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3 SPONSOR Ms. Shapiro

4  
5 DATE March 18, 2019

COMMITTEE: Public Works

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7 **A Resolution authorizing the County Executive to enter into a Local Public Agency**  
8 **agreement with the State of Ohio, through the Department of Transportation, for the**  
9 **Boston Mills Geotechnical Study, located in Council District 1, for an estimated total**  
10 **project cost not to exceed \$356,000.00, with the Department of Transportation providing**  
11 **Easter Federal Lands Access Program funds of up to \$227,200.00 to cover up to 80% of the**  
12 **project costs, with the County Engineer being responsible for the balance of the project**  
13 **costs, and appropriating funds, for the Engineer, and declaring an emergency.**

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15 WHEREAS, the Boston Mills Geotechnical Study, located in Council District 1, which  
16 will develop a landslide stabilization plan along Boston Mills Road from Interstate 271 to the  
17 Village of Boston Heights corporate limit, is necessary and said project has been identified by  
18 the County Engineer's Office as Project Identification Number 108929 (herein after referred to  
19 as the "Project"); and

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21 WHEREAS, the estimated total cost of the Project is \$356,000.00; and

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23 WHEREAS, Easter Federal Lands Access Program funds have been awarded to the  
24 County Engineer's office for a grant to cover up to 80% of the Project costs, in an amount not to  
25 exceed \$227,200.00, with the County Engineer's Office being responsible to provide the  
26 remaining funds necessary for the Project costs; and

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28 WHEREAS, the State of Ohio, through the Ohio Department of Transportation  
29 ("ODOT"), and the County Engineer desire to enter into a Local Public Agency ("LPA")  
30 agreement, to confirm the Project's costs and to designate the County of Summit as the lead  
31 agency for administration of the Project; and

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33 WHEREAS, Sections 5501.03(c) and 5543.01 of the Ohio Revised Code, as well as  
34 Article II, Section 2.03(5) of the County of Summit Charter allow execution of such LPA  
35 agreements, subject to the approval of this Council; and

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37 WHEREAS, said LPA Agreement will provide (i) that the estimated cost of the Project is  
38 \$356,000.00, (ii) that ODOT shall provide to the County as the LPA up to 80% of eligible  
39 Project costs, in an amount not to exceed \$227,200.00 in Easter Federal Lands Access Program  
40 funds and (iii) that the County, as the LPA, will provide the remaining funds necessary to pay for  
41 the Project costs; and

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43 WHEREAS, it is necessary to appropriate funds for said agreement in an amount not to  
44 exceed \$356,000.00; and

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46 WHEREAS, this Council has determined, by reviewing all pertinent information, that it  
47 is necessary and in the best interest of the County of Summit to authorize the County Executive  
48 to execute the aforementioned LPA agreement with ODOT;

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50 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
51 of Ohio, that:

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4 SECTION 1

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6 The County Executive is hereby authorized to execute a Local Public Agency (“LPA”) agreement with the State of Ohio, through the Department of Transportation (“ODOT”), for the Boston Mills Geotechnical Study, Project Identification Number 108929 (the “Project”) located in Council District 1, a copy of which is attached hereto as Exhibit A and incorporated fully herein, with such modifications and revisions as shall be in furtherance of the provisions of said LPA agreement and not substantially adverse to the County, all of which shall be conclusively evidenced by the execution thereof by the County Executive. Upon federal authorization from ODOT, the County may commence the administration of the Project, with the award of the Project subject to applicable Codified Ordinances of the County of Summit, said Ordinances requiring authorization of such an award by the Board of Control and/or County Council.

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18 SECTION 2

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<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
43245-4127-78501	Capital Outlay	\$356,000.00

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23 SECTION 3

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25 This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the residents of the County of Summit, and for the further reason that it immediately completes a prerequisite to accept funds needed for safe and convenient travel within the County.

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29 SECTION 4

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31 Provided this Resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

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35 SECTION 5

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37 It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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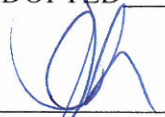
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INTRODUCED March 4, 2019

ADOPTED March 18, 2019

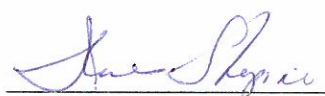
  
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CLERK OF COUNCIL

  
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PRESIDENT OF COUNCIL

APPROVED March 19, 2019

  
\_\_\_\_\_

EXECUTIVE

March 19, 2019  
\_\_\_\_\_

ENACTED EFFECTIVE

Voice Vote: YES - 11-0 Dickinson, Donofrio, Feeman, Hamilton, Koehler, McKenney, Prentice, Rodgers, Schmidt, Walters, Wilhite