

1 RESOLUTION NO. 2021-289

2  
3 SPONSOR Executive Shapiro

4  
5 DATE October 4, 2021

COMMITTEE: Public Works

6  
7 **A Resolution authorizing the Executive to enter into a Local Public Agency agreement with**  
8 **the State of Ohio, through the Department of Transportation, for various road and**  
9 **intersection safety studies, for an estimated total project cost not to exceed \$50,850.00, for**  
10 **the Executive and the Engineer, and declaring an emergency.**

11  
12 WHEREAS, a Guardrail Compliance Study, a Roadside Hazard Study, and a South Main  
13 Street and Warner Road Intersection Safety Study, located in Coventry Township, have been  
14 approved for Federal Highway Administration funding, Project Identification ("PID") number  
15 115294 (referenced herein as the "Study"), and

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17 WHEREAS, the estimated total cost of the Study is \$50,850.00; and

18  
19 WHEREAS, Federal Highway Administration funds, have been awarded to the  
20 Engineer's office for a grant to cover up to 90% of the Study costs, in an amount not to exceed  
21 \$45,765.00, with the Engineer's Office being responsible to provide the remaining funds  
22 necessary for the Study costs; and

23  
24 WHEREAS, the State of Ohio, through the Ohio Department of Transportation  
25 ("ODOT"), and the Executive and Engineer desire to enter into a Local Public Agency ("LPA")  
26 agreement, to confirm the Study's costs and to designate the County of Summit as the lead  
27 agency for administration of the Study; and

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

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33 WHEREAS, said LPA Agreement will provide (i) that the estimated cost of the Study is  
34 \$50,850.00, (ii) that ODOT shall provide to the County as the LPA up to 90% of eligible Project  
35 costs, in an amount not to exceed \$45,765.00 in Federal High Administration funds and (iii) that  
36 the County, as the LPA, will provide the remaining funds necessary to pay for the Study costs;  
37 and

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

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

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3  
4 SECTION 1

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6 The Executive is hereby authorized to execute a Local Public Agency (“LPA”) agreement  
7 and any necessary related documents with the State of Ohio, through the Department of  
8 Transportation (“ODOT”), for various roadway and intersection studies, Project Identification  
9 Number 115294 (the “Study”), a copy of which is attached hereto as Exhibit A and incorporated  
10 fully herein, with such modifications and revisions as shall be in furtherance of the provisions of  
11 said LPA agreement and not substantially adverse to the County, all of which shall be  
12 conclusively evidenced by the execution thereof by the Executive. Upon federal authorization  
13 from ODOT, the County may commence the administration of the Study, with the award of the  
14 Study subject to applicable Codified Ordinances of the County of Summit, said Ordinances  
15 requiring authorization of such an award by the Board of Control and/or this Council.

16  
17 SECTION 2

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

22  
23 SECTION 3

24  
25 Provided this Resolution receives the affirmative vote of eight members, it shall take  
26 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
27 effect and be in force at the earliest time provided by law.

28  
29 SECTION 4

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31 It is found and determined that all formal actions of this Council concerning and relating  
32 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
33 deliberations of this Council and of any of its committees that resulted in such formal action,  
34 were in meetings open to the public, in compliance with all legal requirements, including Section  
35 121.22 of the Ohio Revised Code.

36  
37 INTRODUCED September 20, 2021

38  
39 ADOPTED October 4, 2021

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42 CLERK OF COUNCIL

  
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44 PRESIDENT OF COUNCIL

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46 APPROVED October 5, 2021

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48   
EXECUTIVE

October 5, 2021  
ENACTED EFFECTIVE

Voice Vote - YES: 10-0: DeVitis, Dickinson, Donofrio,  
Feeman, McKenney, Rodgers, Schmidt, Sims, Walters, Wilhite  
ABSENT: Darrow