

1 RESOLUTION NO. 2019-080

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE March 18, 2019

COMMITTEE: Public Works

6  
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 Road Resurfacing, Phase 2 Project, in Council District 1, for an estimated**  
10 **total construction cost not to exceed \$600,000.00, with the Department of Transportation**  
11 **providing Eastern Federal Lands Access Program funds of up to \$306,000.00 to cover up to**  
12 **80% of the project costs, with the County Engineer being responsible for the balance of the**  
13 **project costs, for the Engineer, and declaring an emergency.**

14  
15 WHEREAS, the Boston Mills Road Resurfacing, Phase 2 Project, located in Council  
16 District 8, which will resurface Boston Mills Road from the Blue Hen Falls driveway to 1,200  
17 feet west of Riverview Road, is necessary and said project has been identified by the County  
18 Engineer's Office as Project Identification Number 107274 (herein after referred to as the  
19 "Project"); and

20  
21 WHEREAS, the estimated total construction cost of the Project is \$600,000.00; and

22  
23 WHEREAS, Eastern 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 \$306,000.00, with the County Engineer's Office being responsible to provide the  
26 remaining funds necessary for the Project costs; and

27  
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

32  
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

36  
37 WHEREAS, said LPA Agreement will provide (i) that the estimated cost of the Project is  
38 \$600,000.00, (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 \$306,000.00 in Eastern Federal Lands Access Program  
40 funds, and (iii) that the County, as the LPA, will provide the remaining funds necessary to pay  
41 for the Project costs; and

42  
43 WHEREAS, this Council has determined, by reviewing all pertinent information, that it  
44 is necessary and in the best interest of the County of Summit to authorize the County Executive  
45 to execute the aforementioned LPA agreement with ODOT;

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

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

1 RESOLUTION NO. 2019-080

2 PAGE TWO

3  
4 SECTION 1

5  
6 The County Executive is hereby authorized to execute a Local Public Agency ("LPA")  
7 agreement with the State of Ohio, through the Department of Transportation ("ODOT"), for the  
8 Boston Mills Road Resurfacing, Phase 2 Project, Project Identification Number 107274 (the  
9 "Project") located in Council District 1, a copy of which is attached hereto as Exhibit A and  
10 incorporated fully herein, with such modifications and revisions as shall be in furtherance of the  
11 provisions of said LPA agreement and not substantially adverse to the County, all of which shall  
12 be conclusively evidenced by the execution thereof by the County Executive. Upon federal  
13 authorization from ODOT, the County may commence the administration of the Project, with the  
14 award of the Project subject to applicable Codified Ordinances of the County of Summit, said  
15 Ordinances requiring authorization of such an award by the Board of Control and/or County  
16 Council.

17  
18 SECTION 2

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

23  
24 SECTION 3

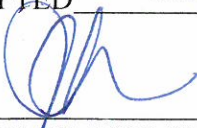
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26 Provided this Resolution receives the affirmative vote of eight members, it shall take  
27 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
28 effect and be in force at the earliest time provided by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

29  
30 SECTION 4

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32 It is found and determined that all formal actions of this Council concerning and relating  
33 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
34 deliberations of this Council and of any of its committees that resulted in such formal action,  
35 were in meetings open to the public, in compliance with all legal requirements, including Section  
36 121.22 of the Ohio Revised Code.

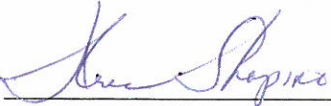
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39 INTRODUCED March 4, 2019

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41 ADOPTED March 18, 2019

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44 \_\_\_\_\_  
45 CLERK OF COUNCIL

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48 \_\_\_\_\_  
49 PRESIDENT OF COUNCIL

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51 APPROVED March 19, 2019

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54 \_\_\_\_\_  
55 EXECUTIVE

56  
57 March 19, 2019  
58 \_\_\_\_\_  
59 ENACTED EFFECTIVE