

1 RESOLUTION NO. 2023-186

**First Reading Passage Requested**

2  
3 SPONSOR Executive Shapiro

**(H. Swindell)**

4  
5 DATE June 26, 2023

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 the Ira Road Bridge over**  
9 **North Fork of Yellow Creek Replacement Project, located in Bath Township, in Council**  
10 **Districts 4 and 5, for an estimated total cost of \$774,500.00, with the Department of**  
11 **Transportation providing County Engineer’s Association of Ohio Local Bridge Program**  
12 **funds up to 865,000.00 to cover up to 100% of the project costs, with no local cash match**  
13 **required, for the Engineer, and declaring an emergency.**

14  
15 WHEREAS, the Engineer’s Office applied for and received County Engineer’s  
16 Association of Ohio Local Bridge Program grant funding for the rehabilitation of the South Main  
17 Street Bridge over Nimisila Creek (the “Project”), located in the Bath Township, in Council  
18 Districts 4 and 5, Project Identification Number 117488; and

19  
20 WHEREAS, the Engineer, as an authorized Local Public Agency for the Ohio  
21 Department of Transportation’s Local Let Process, will administrator the Project; and

22  
23 WHEREAS, the estimated total cost of the Project is \$774,500.00; and

24  
25 WHEREAS, federal funding programmed through the County Engineer’s Association of  
26 Ohio Local Bridge Program has been awarded to the Engineer’s office for a grant to cover 100%  
27 of the Project’s costs, in an amount not to exceed \$865,000.00, with the Engineer being  
28 responsible for any remaining costs of Project over \$865,000.00; and

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

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

38  
39 WHEREAS, said LPA Agreement will provide (i) that the estimated cost of the Project is  
40 \$774,500.00, (ii) that ODOT shall provide to the County as the LPA 100% of eligible Project  
41 costs, in an amount not to exceed 865,000.00 in Federal Highway Administration funds and (iii)  
42 that the County, as the LPA, will provide the remaining funds necessary to pay for the Project  
43 costs; and

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

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

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52

1 RESOLUTION NO. 2023-186

2 PAGE TWO

3

4 SECTION 1

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6 The Executive is hereby authorized to execute a Local Public Agency (“LPA”) agreement  
7 with the State of Ohio, through the Department of Transportation (“ODOT”), for the replacement  
8 of the Ira Road Bridge over North Fork of Yellow Creek, Project Identification Number 117488  
9 (the “Project”), a copy of which is attached hereto as Exhibit A and incorporated fully herein,  
10 with such modifications and revisions as shall be in furtherance of the provisions of said LPA  
11 agreement and not substantially adverse to the County, all of which shall be conclusively  
12 evidenced by the execution thereof by the execution thereof by the 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

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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 a bridge replacement project in Summit  
23 County.

24

25 SECTION 3

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

30

31 SECTION 4

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

38

39 INTRODUCED June 26, 2023

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42 ADOPTED June 26, 2023

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44 DocuSigned by:  
  
45 F8D2DB132BE041B

46 CLERK OF COUNCIL

47

48 APPROVED June 26, 2023

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50 DocuSigned by:  
  
51 CB033E40D267473...

52 EXECUTIVE

DocuSigned by:  
  
C65A946FE4BA42A...

PRESIDENT OF COUNCIL

June 27, 2023

ENACTED EFFECTIVE