

1 RESOLUTION NO. 2023-308

2

3 SPONSOR Executive Shapiro

4

5 DATE October 16, 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 Boston Township’s Hines**  
9 **Hill Road Resurfacing Project, located in Boston Township, in Council District 1, at a cost**  
10 **not to exceed \$80,000.00, with no local funds required, for the Executive and Engineer, and**  
11 **declaring an emergency.**

12

13 WHEREAS, Boston Township applied for and was awarded Federal Lands Access  
14 Program funds for the chip and seal resurfacing of Hines Hill Road from Boston Mills Road to  
15 0.77 miles east of Boston Mills Road, Project Identification (“PID”) number 120312 (referenced  
16 herein as the “Project”); and

17

18 WHEREAS, the Project’s estimated cost is \$80,000.00; and

19

20 WHEREAS, the Federal Highway Administration monies have been awarded to the  
21 Engineer’s office, as the Local Public Agency (“LPA”) for Boston Township, for a grant to  
22 cover 100% of the Project; and

23

24 WHEREAS, the Ohio Department of Transportation (“ODOT”) and the Engineer desire  
25 to enter into a Local Public Agency agreement, to confirm the Project’s Cost and to designate the  
26 County of Summit as the lead agency for administration of the Project; and

27

28 WHEREAS, R.C. Sections 5501.03 (c) and 5543.01, as well as Summit County Charter  
29 section 2.03 (5) allow execution of such agreements, subject to the approval of this Council; and

30

31 WHEREAS, said LPA Agreement will state ODOT shall provide to the LPA \$80,000.00  
32 in eligible costs from Federal Highway Administration funds; and

33

34 WHEREAS, this Council has determined by reviewing all pertinent information that  
35 authorizing the County Executive to enter into the aforementioned LPA agreement with ODOT  
36 is necessary and in the best interest of the County of Summit;

37

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

40

41 SECTION 1

42

43 The Executive is hereby authorized to enter into a Local Public Agency (“LPA”)  
44 agreement and any necessary related documents with the State of Ohio, through the Department  
45 of Transportation (“ODOT”) for the Hines Hill Road Resurfacing Project, located in Boston  
46 Township, in Council District 1, Project Identification (“PID”) number 120312 (referenced  
47 herein as the “Project”), a copy of which is attached hereto as Exhibit A and incorporated fully  
48 herein, with such modifications and revisions as shall be in furtherance of the provisions of said  
49 LPA agreement and not substantially adverse to the County, all of which shall be conclusively  
50 evidenced by the execution thereof by the Executive.

51

52

1 RESOLUTION NO. 2023-308

2 PAGE TWO

3

4 SECTION 2

5

6 The terms of said agreement shall include the following:

7

8 a. That the parties estimate the Project's Cost to be \$80,000.00;

9

10 b. That LPA shall provide \$80,000.00 in Federal Lands Access Program funds, with no  
11 local cash match required;

12

13 c. That, upon receipt of federal authorization from ODOT, the County may commence  
14 the administration of the Project, with award of the Project subject to applicable  
15 County of Summit Ordinances, said ordinances requiring authorization of such an  
16 award by the Board of Control.

17

18 SECTION 3

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 completes a  
22 prerequisite to accept funds needed for safe and convenient travel within the County.

23

24 SECTION 4

25

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 5

31

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.

37

38

39 INTRODUCED October 16, 2023

40

41 ADOPTED October 30, 2023

42

43 DocuSigned by:  
  
44 487AE1C02A594A7...

45 CLERK OF COUNCIL

46

DocuSigned by:  
  
44 C65A946FE4BA42A...

45 PRESIDENT OF COUNCIL

47 APPROVED October 30, 2023

48

49 DocuSigned by:  
  
50 CBD33E40D287473...

51 EXECUTIVE

52

October 31, 2023

ENACTED EFFECTIVE

Voice Vote – YES: 11 – 0: Darrow, DeVitis, Dickinson, Donofrio, McKenney,  
Rodgers, Schmidt, Sims, Walters, Wiedie Higham, Wilhite