

**ORDINANCE NO. 84-18**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A LOCAL PUBLIC AGENCY AGREEMENT FOR THE IMPLEMENTATION OF A TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (TLCI) GRANT FOR THE DEVELOPMENT OF A CITYWIDE BICYCLE + MULTI-USE PATH MASTER PLAN AND DECLARING AN EMERGENCY**

**WHEREAS**, Avon City Council recognizes the health, safety and welfare benefits to its citizens that come from the promotion of alternative modes of transportation including walking and bicycling; and

**WHEREAS**, Avon City Council recognizes that proper and formal planning for pedestrian and bicycling facilities throughout the community will increase awareness, improve utilization and expand implementation of alternate modes of transportation; and

**WHEREAS**, the City of Avon was successful in its efforts to secure partial funding via Northeast Ohio Areawide Coordinating Agency's (NOACA) Transportation for Livable Communities Initiative (TLCI) for the preparation of a Citywide Bicycle + Multi-Use Path Master Plan; and

**WHEREAS**, the TLCI Program provides federal funds for projects that integrate transportation and land use planning, increase transportation options, promote livability, and advance the goals of NOACA's Strategic Plan for northeast Ohio; and

**WHEREAS**, the City of Avon agrees to abide by all federal requirements as a sub-recipient of federal transportation funds, including Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act, and including all applicable federal procurement requirements; and

**WHEREAS**, the City of Avon agrees to complete the agreed upon Scope of Services, attached hereto as EXHIBIT A or will forfeit current and future TLCI awards; and

**WHEREAS**, the estimated cost to perform the Scope of Services detailed in EXHIBIT A is \$75,000 to be split between a TLCI share of \$30,000 and a City of Avon share of \$45,000.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:**

Section 1 - That the Mayor is hereby authorized to execute the agreement presented in EXHIBIT A and incorporated herein with the Ohio Department of Transportation (ODOT) and NOACA, acting as designated recipient of United States Department of Transportation (USDOT) funds, for the governance and implementation of the scope of services and budget detailed in EXHIBIT A as part of the TLCI Program in order to prepare a Citywide Bicycle + Multi-Use Path Master Plan.

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Section 2 – The City of Avon Mayor is authorized to enter into contracts with consultant(s), selected according to NOACA guidelines, to perform the Scope of Services presented in EXHIBIT A.

Section 3 – That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 4 - That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to execute said agreement prior to NOACA's established deadline of October 12, 2018; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasior, Law Director

ATTEST:

\_\_\_\_\_  
Barbara Brooks  
Clerk of Council

Posted: \_\_\_\_\_  
In Five Places, as  
Provided by Council

Prepared By:  
John A. Gasior, Esq.  
Law Director