

ORDINANCE NO. 57-19

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

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, on October 9, 2018, Avon City Council passed Ordinance No. 84-18 authorizing the Mayor to execute an agreement with the Ohio Department of Transportation (ODOT) and the Northeast Ohio Areawide Coordinating Agency (NOACA) and enter into a contract with consultant(s), as part of NOACA's TLCI Program in order to prepare a City of Avon Citywide Bicycle and Multi-Use Path Master Plan; and

WHEREAS, after initial efforts began on the Avon TLCI plan, collaborative discussions between NOACA, Lorain County Metroparks, Village of Sheffield and Avon officials identified the potential benefits to the larger regional community if the study area for Avon's study was expanded beyond Avon and examined potential linkages to critical public assets in the region as well including the French Creek Reservation, Black River Bikeway and Lorain Community College; and

WHEREAS, NOACA, the Lorain County Metroparks, the Village of Sheffield, Avon and the Avon's TLCI consultant, Envision, developed an amended scope of services for the expanded study area which resulted in a proposed \$20,000.00 increase in cost of the study efforts; and

WHEREAS, on June 14, 2019, the NOACA Board approved Resolution No. 2019-029 which committed additional funding for the City of Avon Citywide Bicycle and Multi-Use Path Master Plan Transportation for Livable Communities Initiative (TLCI) project in the amount of \$15,000.00 to partially offset the additional cost of expanding the study area into the adjacent community of Sheffield Village; and

WHEREAS, the Lorain County Metroparks has committed to provide the remaining local share of \$5,000.00 to expand the study area into the adjacent community of Sheffield Village; and

WHEREAS, the City of Avon has agreed to manage the expanded study efforts but will not be required to provide any additional funds for the expanded consultant services.

WHEREAS, Council finds the Addendum expanding the scope of services in the

original agreement with the TLCI consultant, Envision, to be in the best interests of the health, safety and welfare of Avon and its surrounding communities.

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

Section 1 – That the Mayor is hereby authorized to enter into the First Addendum to Consultant Services Contract with the TLCI consultant, Envision, as set forth in Exhibit A and incorporated herein by this reference, to perform the modified Scope of Services as originally set forth in Ordinance No. 84-18, passed on October 9, 2018.

Section 2 - That the Mayor is hereby authorized to execute any amended agreements 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 additional scope of services and budget as set forth in Exhibit B, attached hereto and incorporated herein, all of which are part of the TLCI Program designed to prepare a Citywide Bicycle + Multi-Use Path Master Plan.

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, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance 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 the First Addendum to the Consultant Services Agreement thus expanding the scope of service for the Citywide Bicycle and Multi-path Master Plan; 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