

RESOLUTION NO. R-29-19

A RESOLUTION IN SUPPORT OF SUBMISSION OF A TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (TLCI) IMPLEMENTATION GRANT APPLICATION FOR THE INSTALLATION OF AN ASPHALT MULTI-USE TRAIL ALONG THE ENTIRETY OF FRENCH CREEK ROAD 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, the City of Avon via the Northeast Ohio Areawide Coordinating Agency's (NOACA) Transportation for Livable Communities Initiative (TLCI) Planning Grant Program continues to work in concert with the Village of Sheffield and the Lorain County Metro Parks to finalize The Avon/Sheffield Village - Bicycle and Pedestrian Master Plan as part of an Active Transportation Initiative for all of Avon and the northeast portion of Sheffield Village that identifies and plans for a network of trails and other infrastructure improvements that will provide safe alternatives to motor vehicle transportation throughout the study area; 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 Bicycle and Pedestrian Master Plan has identified the spine of the Avon trail network to be known as the French Creek Greenway, that when eventually fully constructed, will provide an alternate transportation link between key community resources such as parks, schools, health care facilities and commercial areas throughout Avon; and

WHEREAS, the NOACA TLCI program also offers opportunities for municipalities to seek grant funds to implement infrastructure improvements that were identified in previous TLCI planning efforts, such as the Avon Active Transportation Initiative; and

WHEREAS, the City of Avon desires to submit an application to NOACA for grant funding through the TLCI Implementation Program to help offset the cost to construct Phase 1 of the French Creek Greenway that will consist of a 10-foot wide asphalt multi-use trail along the south side of French Creek Road between the western municipal border and Detroit Road; and

WHEREAS, the attached Exhibit A depicts the placement, extent and typical cross section of the proposed Phase 1 trail; and

WHEREAS, the attached Exhibit B contains a Preliminary Project Cost Estimate of the proposed Phase 1 trail; and

WHEREAS, the TLCI program is paid on a reimbursement basis, requiring the applicant to first expend funds (if matched) and then request reimbursement from NOACA; and

WHEREAS, NOACA acts as the designated recipient of United States Department of Transportation (USDOT) funds for its member Counties; 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 be responsible for managing any and all sub-contracting agencies, organizations, or consultants; and

WHEREAS, the City of Avon agrees to complete the agreed upon scope of services or will forfeit current and future TLCI awards; and

WHEREAS, the City of Avon is authorized to execute a contract with the Ohio Department of Transportation (ODOT) and NOACA if selected for the TLCI Program.

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

Section 1 - That the Mayor for the City of Avon is hereby authorized to apply to NOACA seeking \$400,000.00 of TLCI Implementation Program grant funds to offset a portion of the preliminarily estimated project cost of \$1,118,410.30, and to execute a contract with NOACA if selected for funding, to construct a 10-foot wide asphalt multi-use trail along the south side of French Creek Road between the western municipal boundary and the Detroit Road intersection along with all necessary appurtenances thereto.

Section 2 - 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 3 - 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 support an application for TLCI funds for the year 2020, prior to its predetermined deadlines; therefore, this Resolution 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