

RESOLUTION NO. 28-15

RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR FUNDING FOR INFRASTRUCTURE IMPROVEMENTS OF RICHMOND ROAD IN THE CITY OF PAINESVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, the STATE has identified the need to resurface Richmond Road (SR-283) from the west corporation line to SR-535 in the City of Painesville and Painesville Township, and

WHEREAS, this work is part of a larger project to resurface SR-283 in Painesville Township, the Village of Grand River and the City of Painesville, and

WHEREAS, the City of Painesville shall act as the Local Public Agency (LPA) for the above described project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

SECTION I. That the City Manager be, and is hereby authorized and directed to enter into an agreement with ODOT for funding for infrastructure improvements of Richmond Road in the City of Painesville.

SECTION II. The City of Painesville as LPA shall cooperate with the Director of Transportation in the above described project as follows:

The entire cost and expense of this improvement will be provided by the Department and no financial participation will be required by the LPA.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

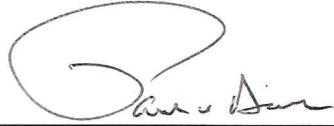
The LPA further agrees to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

SECTION III. The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The LPA also understands that right-of-way costs include eligible utility costs. The LPA agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION IV Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way-inviolate for public highway purposes.

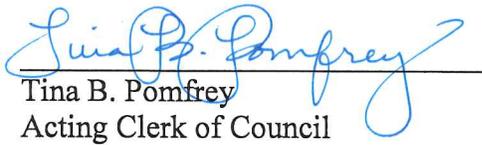
SECTION V. That this Resolution is hereby declared to be an emergency measure necessary for the protection and preservation of the peace, health, safety, and general welfare of the inhabitants of the City of Painesville, the emergency being to expedite the highway project and to promote highway safety immediate passage is necessary so as to meet filing deadlines, and therefore, this Resolution shall be effective immediately upon its passage.

PASSED: September 8, 2015



Paul W. Hach II
President of Council

ATTEST: September 8, 2015



Tina B. Pomfrey
Acting Clerk of Council