

**ORDINANCE NO. 10-18**  
AN ORDINANCE AUTHORIZING AND DIRECTING THE  
DIRECTOR OF SAFETY AND SERVICE TO SUBMIT AN  
APPLICATION TO THE OHIO DEPARTMENT OF  
TRANSPORTATION FOR TRANSPORTATION ALTERNATIVE PROGRAM  
FUNDS FOR THE JEFFERSON STREET SIDEWALK  
PROJECT, AND DECLARING AN EMERGENCY

WHEREAS, the United States Congress has set aside monies for Transportation Alternative Program Projects through the State of Ohio, Department of Transportation; and

WHEREAS, The City of Port Clinton, hereafter referred to as the Local Public Agency (the "LPA"), in the matters provided for in this Ordinance, can apply for the Transportation Alternative Program monies and be selected for funding by the State of Ohio, Department of Transportation; and

WHEREAS, the Jefferson Street Sidewalk Project, (the "Project") is a transportation activity eligible to receive federal funding; and

WHEREAS, if the requested funds are granted, the LPA shall be responsible for at least twenty (20%) percent of the construction costs, and for 100% of all other costs associated with the architecture/engineering plans, environmental studies and documentation, right-of-way plans, and right-of-way acquisition , if necessary.

WHEREAS, this council finds and determines that it is in the best interest of the LPA to proceed to prepare and submit an application to the State of Ohio, Department of Transportation for TAP funding for the Project.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Port Clinton, County of Ottawa and State of Ohio:

**Section 1.** The Director of Safety and Service of the LPA is hereby authorized and directed to prepare and execute an application for Transportation Alternative Program funds for the stated described Project and to submit the same to the State of Ohio, Department of Transportation.

**Section 2.** The total construction cost of the project is estimated to be \$585,500.00 of which the LPA, if awarded the funds, commits to pay at least twenty (20%) percent (hereinafter known as the local portion) of the actual construction cost. The local portion shall be funded by the LPA using the Municipal Purposes Fund, Streets, Alleys and Sidewalk Account 241-0641-52430 money. The LPA further agrees to pay One Hundred Percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation and for all costs associated with design, environmental and right-of-way activities.

**Section 3.** 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 laws, including but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

**Section 4.** If the application is approved for the funding the Director of Safety and Service is hereby authorized and directed to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above described Project.

**Section 5.** This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council, and any of its committees, that resulted in those actions were in meetings open to the public, in compliance with the law.

**Section 6.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason the application must be submitted by the deadline established by the Ohio Department of Transportation; **wherefore**, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: \_\_\_\_\_, 2018

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Approved: \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor