

ORDINANCE NO. 24-25

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE LOCAL PUBLIC AGENCY AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO CONSTRUCT THE STATE ROUTE 83 & STATE ROUTE 254 INTERSECTION IMPROVEMENT PROJECT, KNOWN AS PID 111283 LOR SR 0254 05.66 AND DECLARING AN EMERGENCY

WHEREAS, the City of Avon entered into a Local Public Agency (LPA) Agreement for the State Route 83 & State Route 254 Intersection Improvement Project otherwise known as PID 111283, LOR SR 0254 05.66 via the passage of Ordinance No. 77-24 on July 8, 2024; and

WHEREAS, the LPA Agreement attached to Ordinance No. 77-24 stipulated the provision of (1) federal funding in the total amount of **Six Million One Hundred Sixteen Thousand Dollars and 00/100 Cents (\$6,116,000.00)**, toward an estimated project construction cost of **Nine Million Thirty-Two Thousand Two Hundred Fifty-Five Dollars and 95/100 Cents (\$9,032,255.95)**; (2) federal funding being provided through the Ohio Department of Transportation (ODOT) Safety Program of **Four Million Six Hundred Sixteen Thousand Dollars and 00/100 Cents (\$4,616,000.00)** and (3) a U.S. Congress Direct Appropriation of **One Million Five Hundred Thousand Dollars and 00/100 Cents (\$1,500,000.00)**; and

WHEREAS, on March 28, 2025, the City Administration was notified that additional ODOT Safety Program funds had become available to increase the total amount of federal funding to **Six Million Five Hundred Seventy-Six Thousand Eight Hundred Seventy-Three Dollars and 00/100 Cents (\$6,576,873.00)** towards the now estimated project construction cost of **Nine Million Four Hundred Forty-Seven Thousand Nine Hundred Eighty-Five Dollars and 65/100 Cents (\$9,447,985.65)**; and

WHEREAS, ODOT is requesting that an amendment to the original LPA Agreement be executed in order for the City of Avon to officially accept the \$460,873 increase in federal funds for the project; and

WHEREAS, the amendment to the LPA Federal Local-Let Project Agreement, is attached hereto as [EXHIBIT A](#); and

WHEREAS, Council finds it to be in the best interests of the health, safety, and welfare of the citizens of Avon to authorize the Mayor to execute the attached amendment to the LPA Federal Local-Let Project Agreement and proceed with the construction of the State Route 83 & State Route 254 Intersection Improvement Project (PID No. 111283, LOR SR 0254 05.66) within the municipality.

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

Section 1 – That Council hereby agrees to and authorizes the Mayor to execute the amendment to the LPA Federal Local-Let Project Agreement, attached hereto and incorporated herein as EXHIBIT A, and to proceed with the construction of the State Route 83 & State Route

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254 Intersection Improvement Project (PID No. 111283, LOR SR 0254 05.66) in accordance with applicable state and federal laws and procedures as defined in the said Project Agreement and amendment 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 Ordinance 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 Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to amend the LPA Federal Local-Let Project Agreement (PID No. 111283, LOR SR 0254 05.66) so that the project can proceed to construction during the 2025 construction season, therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, 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: _____
Electronically and at City Hall as
Provided by Council

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