

RESOLUTION R-25-13

A RESOLUTION IN SUPPORT OF AN APPLICATION TO NOACA'S TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE FOR FUNDING ASSISTANCE WITH DEVELOPING AN INTEGRATED TRANSPORTATION AND LAND USE PLAN TO ENHANCE COMMUNITY LIVABILITY AND DECLARING AN EMERGENCY

WHEREAS, The City of Avon, Ohio (the applicant) desires to submit an application to the Northeast Ohio Areawide Coordinating Agency (NOACA) for funding through the Transportation for Livable Communities Initiative (TLCI); and

WHEREAS, the TLCI program provides 80 percent reimbursement federal funds for planning projects that integrate transportation and land use planning, promote livability, and advance the goals of NOACA's long-range transportation plan for northeast Ohio; and

WHEREAS, the TLCI program is paid on a reimbursement basis, requiring the applicant to first expend funds and then request 80 percent reimbursement from NOACA; and

WHEREAS, the applicant certifies it will provide at least 20 percent local matching funds for planning projects from sources other than United States Department of Transportation (USDOT) funds; and

WHEREAS, 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 subcontracting 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 repay TLCI funds expended on unfinished projects; and

WHEREAS, the City of Avon is authorized to execute a contract with NOACA if awarded a TLCI grant; and

WHEREAS, Council deems it in the best interest of the health, safety and welfare of the citizens of Avon to apply for and utilize the TLCI funds, should they be made available, to conduct long range transportation and land use planning in the northern portion of the City.

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

Section 1 - That the City of Avon, Ohio, by and through the Mayor or his designee, proceed to apply to NOACA's Transportation for Livable Communities Initiative in an effort to obtain funding to devise a long-range integrated transportation and land use plan for the northern area of the City, i.e., the area north of I-90 to the Avon Lake City line and from the eastern line with Westlake, west to Miller Road, said area being further described in the attached Exhibit A, which is incorporated herein by this reference.

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such 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 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 proceed with the application for TLCI funding to formulate long-range transportation and land use planning within the northern section of the City; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Daniel S. Zegarac, Council President

DATE APPROVED BY THE MAYOR: _____

James A. Smith, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

Resolution R-25-13 (Con't.)

ATTEST:

Ellen R. Young
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

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