

RESOLUTION NO. R-27-21

**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 FROM THE FRENCH CREEK GREENWAY TO THE
INTERSECTION OF COLORADO AVENUE (STATE ROUTE 611)
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 worked in conjunction with the Village of Sheffield and the Lorain County Metro Parks to complete 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 which identified 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 a connector trail off of the French Creek Greenway that will consist of a 10-foot wide asphalt multi-use trail from a section of the French Creek Greenway to be constructed within the Lustri Property (Permanent Parcel Number 0400010113194), which is in process of being acquired by the Lorain County Metro Parks, across French Creek to the intersection of Colorado Avenue (State Route 611); and

WHEREAS, the attached Exhibit A depicts the placement, extent and typical cross section of the proposed Phase 2 trail; and

WHEREAS, the attached Exhibit B contains a Preliminary Project Cost Estimate of the proposed Phase 2 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, 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 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 of the City of Avon is hereby authorized to apply to NOACA acting as designated recipient of United States Department of Transportation (USDOT) funds, for the TLCI Program and to execute a contract with NOACA if selected for funding to construct a 10-foot wide asphalt multi-use connector trail off of the French Creek Greenway from a section to be constructed within the Lustri Property (Permanent Parcel Number 0400010113194) thence across French Creek to the intersection of Colorado Avenue (State Route 611) along with all necessary appurtenances thereto. See attached Exhibits A and B, both of which are incorporated herein by this reference.

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 2021, prior to its predetermined deadlines; therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Avon 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: _____
In Five Places, as
Provided by Council

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