

AMENDED RESOLUTION NO. 19-17

FIRST READING: 4.10.17

SECOND READING: 4.24.17

THIRD READING: 5.8.17

BY: DAVID W. FURRY

AN AMENDED EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO SUBMIT AN APPLICATION TO THE NORTHEAST OHIO AREA WIDE COORDINATING AGENCY (NOACA) FOR A STATE OF OHIO CONGESTION MITIGATION AND AIR QUALITY (CMAQ) GRANT REGARDING CONGESTION REDUCTION, TRAFFIC FLOW IMPROVEMENTS AND INTELLIGENT TRANSPORTATION SYSTEMS (ITS) FOR CENTER RIDGE ROAD INTERSECTIONS

WHEREAS, the United States Congress has set aside monies for Congestion Mitigation and Air Quality (CMAQ) projects through the State of Ohio, Department of Transportation (ODOT) to be administered by the Northeast Ohio Areawide Coordinating Agency (NOACA); and

WHEREAS, the City of Rocky River can apply for these monies and be selected for funding by the Ohio Association of Regional Councils (OARC), who has been charged with management of a statewide CMAQ program by ODOT; and

WHEREAS, the Congestion Reduction, Traffic Flow Improvements and Intelligent Transportation Systems for Center Ridge Road Intersections is a transportation activity eligible to receive federal CMAQ funding; and

WHEREAS, if requested funds are granted, the City of Rocky River as the Local Public Agency (LPA), shall be responsible for at least twenty (20%) percent of the eligible costs; and

WHEREAS, this project will introduce traffic technology to various intersections on Center Ridge to better control traffic and mitigate congestion and will use upgraded signals and pavement markings to improve safety for pedestrian and bike traffic at Wagar and Northview/Linden intersections on Center Ridge Road.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. That the Mayor and her designee be authorized to submit this application to for CMAQ funds and to submit same to the NOACA for consideration as necessary to complete the above described project if selected for funding.

SECTION 2. The total cost of the project is estimated to be \$654,651.80 of which the City, if awarded the funds, commits to pay at least thirty (30%) percent local portion of the construction cost and all engineering costs, estimated to be \$273,763.48. The local portion shall be funded by the City using the Capital Improvement Fund. The City further agrees to pay one hundred (100%) of the cost over and above the maximum amount provided by the OARC and for all non-participating cost associated project development activities; and

SECTION 3. Upon completion of the described Project, and unless otherwise agreed, the City 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) in necessary, hold said right-of-way inviolate for public highway purposes.

SECTION 4. If the application is approved for funding the Mayor of the City of Rocky River is authorized to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above described project.

SECTION 5. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health and safety, and for the further reason that the City of Rocky River is hereby authorized to participate in the NOACA application grant process, and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to the Council, it shall take effect and be in force immediately upon its passage and approval by the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

I, the undersigned, Clerk of Council of the City of Rocky River, Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 8th day of May, 2017.

Aaron G. Please

Clerk of Council of the City of Rocky River, Ohio

RESOLVED: May 8th, 2017

James W. Moran
JAMES W. MORAN
President of Council

PRESENTED
TO MAYOR: May 8th, 2017

APPROVED: May 8th, 2017

ATTEST:
Susan G. Pease
SUSAN G. PEASE
Clerk of Council

Pamela E. Bobst
PAMELA E. BOBST
Mayor

City of Rocky River } ss
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 19-17 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 8th DAY OF May, 20 17. THAT THE PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND CERTIFIED OF RECORD ACCORDING TO LAW; THAT NO PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND THE CERTIFICATE OF PUBLICATION THEREOF, ARE OF RECORD IN ORDINANCE RECORD NO. 19-17

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 8th DAY OF May, 20 17.

Susan G. Pease
CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO