

ORDINANCE NO. 2012- 139

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF KENT AND THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE REPLACEMENT OF THE BRIDGE IN FRED FULLER PARK, TO ALLOW THE MAXIMUM USE OF FEDERAL FUNDS IN THE AMOUNT OF \$968,000 WITH A 20% LOCAL SHARE TO BE PAID BY THE CITY OF KENT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to enter into an agreement with the State of Ohio, Department of Transportation (ODOT) for the replacement of the bridge in Fred Fuller Park, while accessing Federal funding through the Federal Highway Administration; and

WHEREAS, the City wishes to receive a maximum of funding in the amount of \$968,000; and

WHEREAS, the agreement requires 20% local match money, which would be paid by the City of Kent ; and

WHEREAS, time is of the essence in order to complete the grant requirements.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That the City Manager, or his designee is hereby authorized to execute a LPA Federal Local-Let Project agreement with the State of Ohio Department of Transportation accepting a grant for up to \$968,000.00, in Federal Municipal bridge funds for the replacement of the bridge in Fred Fuller Park.

SECTION 2. That the City of Kent acknowledges and understands the ODOT "Funding Policy Guidelines" and confirms to the best of its knowledge that the information contained in the project application is accurate, that it intends to diligently pursue that project, and that a local share is required to match federal funds.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption 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 action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: 12/19/2012 _____
DATE MAYOR AND PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

I hereby certify that Ordinance No. 2012- 139 was duly enacted on this 19th day of December 2012 by the Council of the City of Kent, Ohio.

Clerk of Council