

## RESOLUTION NO. 015-2014

The following is Resolution 015-2014 enacted by the City of Findlay, Hancock County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

WHEREAS, the United State Congress has set aside monies for Transportation Enhancement projects through the State of Ohio, Department of Transportation; and,

WHEREAS, LPAs can apply for these monies and be selected for funding by the State of Ohio, Department of Transportation; and,

WHEREAS, the (project description) is a transportation activity eligible to receive federal funding; and,

WHEREAS, if requested funds are granted, the City shall be responsible for at least twenty (20%) percent of the construction costs, and for 100% of all other costs associated with the architecture/engineering plans, environmental studies and documentation, right-of-way plans, and right-of-way acquisition, if necessary.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Findlay, State of Ohio, State of Ohio, that:

**SECTION ONE:** The Service-Safety Director of said LPA is hereby empowered on behalf of the LPA to prepare and execute an application for Transportation Enhancement funds for the stated described project and to submit same to the State of Ohio, Department of Transportation.

**SECTION TWO:** The total construction cost of the project is estimated to be \$3,353,810.00 of which the LPA, if awarded the funds, commits to pay at least twenty (20%) percent (hereinafter known as the local portion) of the actual construction cost, estimated to be \$670,762.00. The local portion shall be funded by the LPA using Capital Improvement dollars obtained through an agreement with Marathon Petroleum Company, a Downtown Findlay Employer with a vested interest in improving pedestrian safety downtown. The LPA further agrees to pay One Hundred Percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation and for all costs associated with design, environmental and right-of-way activities.

**SECTION THREE:** Upon completion of the described Project, and unless otherwise agreed, the LPA 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) if necessary, hold said right-of-way inviolate for public highway purposes.

**SECTION FOUR:** If the application is approved for funding the Service-Safety Director of said LPA is hereby authorized and directed to petition council to seek final approval of the acceptance of said funds as well as authorization to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above described project.

**SECTION FIVE:** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to enact said legislation so that this project may proceed expeditiously.

WHEREFORE, this Resolution shall take effect and be in force from and after its passage and approval by the Mayor.

R. Ronald Monday  
PRESIDENT OF COUNCIL Pro-Tem

James P. Slough  
Acting MAYOR

PASSED April 1, 2014

ATTEST Denise DeWore  
CLERK OF COUNCIL

APPROVED April 1, 2014