



Legislation Details (With Text)

**File #:** O-386-20      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Approved

**File created:** 9/3/2020      **In control:** Public Service Department

**On agenda:** 9/22/2020      **Final action:** 10/6/2020

**Title:** Authorizing the mayor to enter into and execute cooperative agreements between the City of Toledo and the State of Ohio Department of Transportation (ODOT) and to give consent to ODOT for Pedestrian Safety Improvements within the City limits; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Pedestrian Safety Improvement Program, 2. Bullet Points

Date	Ver.	Action By	Action	Result
10/6/2020	1	City Council		
10/6/2020	1	City Council		

Pedestrian Safety Improvement Program PID113269  
 Division of Transportation  
 Stephanie Bartlett (x2009), Paul M. Rasmusson (x7868)  
 (Revised)

**Authorizing the mayor to enter into and execute cooperative agreements between the City of Toledo and the State of Ohio Department of Transportation (ODOT) and to give consent to ODOT for Pedestrian Safety Improvements within the City limits; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

The City of Toledo (LPA) and the State of Ohio have identified the need for a pedestrian safety improvement project for various pre-approved intersections located within the City of Toledo. The total cost of this project is up to \$1.3 million. Improvements will include: enhancements to pavement markings, signage, roadway features (median, curb ramps, sidewalk) and signals. ODOT will provide 100% of the cost of the project.

The fiscal impact of this Ordinance is as follows:

- The total amount of funds requested: \$0
- The expenditure budget line item: N/A
- New revenue generated (operational revenue, grants, if any): TBD
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)? N/A
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? N/A
- What section of the City’s Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes

- o Environment (yes/no) no

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That being in the public interest, the Local Public Agency (LPA) gives consent to the Director of Transportation to complete the above described project.

SECTION 2. That the LPA shall cooperate with the Director of Transportation in the above described project as follows:

- 1) The LPA will assume and bear one hundred percent (100%) of the total cost of any features requested by the LPA which are not necessary for the project as determined by the State and/or the Federal Highway Administration.
- 2) The LPA consents to having the State acquire all necessary right-of-way for the subject project in the name of the LPA.
- 3) The LPA agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
- 4) The State agrees to be the lead agency and to administer all phases of the project.

SECTION 3. That the LPA agrees that all existing street and public right-of-way within the jurisdiction of the LPA which is necessary for the described project shall be made available therefore. The LPA further agrees that any right-of-way acquired by said LPA, on behalf of the described project, shall be acquired and/or made available in accordance with current State and Federal regulations. The LPA agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 4. That upon completion of the project, and unless otherwise agreed, the LPA shall: 1) provide adequate maintenance for those portions of the project under the jurisdiction of the LPA in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; 2) provide ample financial provisions, as necessary, for the maintenance of those portions of the project under its jurisdiction; 3) maintain the right-of-way, keeping it free of obstructions; and 4) hold said right-of-way inviolate for public highway purposes.

SECTION 5. That this Ordinance is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that this Ordinance is necessary for the immediate preservation of the public peace, health, safety and property and for the further reason that this Ordinance must be immediately effective in order to permit timely construction for the above project.

Vote on emergency clause: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Passed: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_  
\_\_\_\_\_ Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council  
\_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council