



Legislation Details (With Text)

File #: O-069-19 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 1/22/2019 **In control:** Public Utilities Department
On agenda: 2/5/2019 **Final action:** 2/5/2019
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 safety improvements and resurfacing work on Laskey Road at the Talmadge Road intersection within the city limits; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: Agenda Review 1/29/2019

Date	Ver.	Action By	Action	Result
2/5/2019	1	City Council	Dispense with the rules of Council requiring...	Pass
2/5/2019	1	City Council	declare emergency	Pass
2/5/2019	1	City Council	passage	Pass

DPU020519Laskey-TalmadgeIntersectionConstructionConsent
Engineering Services
Timothy Grosjean (x1344)
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 safety improvements and resurfacing work on Laskey Road at the Talmadge Road intersection within the city limits; and declaring an emergency.

SUMMARY & BACKGROUND:

ODOT has identified the need for a safety funded project for intersection improvements at Laskey Road and Talmadge Road within the City of Toledo, which includes signal and turn lane improvements, along with a resurfacing of the intersection. This project is scheduled to construct in 2020.

ODOT will provide 90% of the cost of the project. The City of Toledo will participate in the costs with a 10% local share, to be paid for with Tax Increment Financing (TIF) funds, including design, construction, and right of way acquisition.

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

SECTION 1. That the mayor is authorized to enter into and execute cooperative agreements between the City of Toledo and the Ohio Department of Transportation for the improvement of the intersection of Laskey Road and Talmadge Road.

SECTION 2. That the City of Toledo gives consent to and shall cooperate with the State of Ohio, Director of Transportation, in connection with the above project as follows, subject to the availability and appropriation of funds:

1. The City of Toledo agrees to assume and contribute the entire cost and expense of the project less the amount of federal aid funds set aside by the Director of Transportation for the financing of this project from funds allocated by the Federal Highway Administration, United States Department of Transportation. The federal aid funds shall provide 90% of the eligible costs, up to a maximum of \$1,032,057 in federal funds. ODOT District 2 shall invoice the LPA for the 10% local share during each phase of the project.
2. The City of Toledo will assume and bear one hundred percent (100%) of the total cost of any features requested by the City of Toledo which are not necessary for the project as determined by the State and/or Federal Highway Administration.
3. The City of Toledo consents to having the state acquire all necessary rights-of-way for the subject project in the name of the City of Toledo.
4. The City of Toledo agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
5. The State of Ohio agrees to be the lead agency and to administer the construction phase of the project.

SECTION 3. That the City of Toledo agrees that all existing street and public rights-of-way within the jurisdiction of the City of Toledo which is necessary for the described project shall be made available therefor. The City of Toledo further agrees that any rights-of-way acquired by said City of Toledo on behalf of the described project shall be acquired and/or made available in accordance with current State and Federal regulations. The City of Toledo also 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 City of Toledo shall: 1) provide adequate maintenance for those portions of the project under the jurisdiction of the City of Toledo 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 rights-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