



Legislation Text

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TDOT112123CONSENTLEGISLATIONWLSSIDEWALKS

Engineering and Construction Management

Timothy Grosjean (x1344)

Revised

Authorizing the Mayor to enter into and execute a cooperative agreement with Washington Local Schools to grant consent to the City of Toledo to construct a sidewalk improvement on School District property; and declaring an emergency.

SUMMARY & BACKGROUND:

The City of Toledo was awarded funding for a Safe Routes to School project within the Washington Local School district to add sidewalks and striping near various WLS school buildings to create safer access for students who walk to school. The project at the intersection of Naomi Drive and Clawson Avenue will extend an existing sidewalk that is within the school property at Monac Elementary to the intersection. An agreement between the city and the school district will allow the city to construct the new sidewalk within the district's property. Once completed, the school district will maintain the sidewalk within their property limits for a minimum of 20 years in accordance with the agreement.

The City of Toledo will administer the design and construction of the project utilizing ODOT safety funding which will cover 100% of the construction costs.

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 a cooperative agreement with Washington Local School District for sidewalk improvements at the intersection of Naomi Drive and Clawson Avenue within the property limits of Monac Elementary School.

SECTION 2. That the City of Toledo agrees to and shall cooperate with the Washington Local School District in connection with the above project as follows:

1. The City of Toledo agrees to assume and contribute the entire cost and expense of the construction of the project, including any cost overruns, utilizing the Safe Routes to School funding.
2. The Washington Local School District agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
3. The City agrees to be the lead agency and to administer the construction phase of the project.

SECTION 3. The City of Toledo agrees that any right-of-way acquired by the 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 accommodations, 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 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