File #: O-235-22, **Version:** 1

DPU052422CONSENTLEGISLATIONLUCASCOUNTYTALMADGEROAD
Engineering Services
Timothy Grosjean (x1344)

Authorizing the mayor to enter into and execute cooperative agreements between the City of Toledo and Lucas County and to give consent to Lucas County for roadway improvements and resurfacing work on Talmadge Road from Laskey Road to Alexis Road within the City limits; and declaring an emergency.

SUMMARY & BACKGROUND:
Lucas County will be resurfacing Talmadge Road from Laskey Road to Alexis Road. The portion of the project is within the City of Toledo Limits. This project is scheduled to construct in the summer of 2024.

Lucas County will administer the design and construction of the project with County funds and is paying for a majority of the construction. The City of Toledo will participate in the costs by paying a lump sum amount of $49,000, to be paid for with Matches and Planning funds, that is approximately 6.8% of the total estimated constructed cost of $717,000.

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 Lucas County for the improvement of Talmadge Road from Laskey Road to Alexis Road.

SECTION 2. That the City of Toledo gives consent to and shall cooperate with Lucas County, 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 within the City of Toledo limits, including any cost overruns. The cost of the city portion is estimated to be $49,000.
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 County.
3. The City of Toledo agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
4. The County 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 right-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 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 12, nays 0.

Passed: June 7, 2022, as an emergency measure: yeas 12, nays 0.

Attest:
Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

June 8, 2022
Wade Kapszukiewicz
Mayor

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