

ORDINANCE NO. 04-20

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT IN THE AMOUNT TO \$25,000 WITH THE OHIO DEPARTMENT OF TRANSPORTATION PURSUANT TO OHIO REVISED CODE §5521.01 TO IMPROVE THE SIGNAGE, CROSSWALKS, PEDESTRIAN SIGNALS AND SIDEWALKS TO SERVICE THE EAST CLEVELAND CITY SCHOOLS IN THE CITY OF EAST CLEVELAND AND DECLARING AN EMERGENCY FOR THE PUBLIC SAFETY AND WELFARE.

**Requested By: Mayor Brandon L. King
Sponsored By: Korean C. Stevenson, Council VP-Ward 4;
Nathaniel Martin, Councilor At-Large**

WHEREAS, The Federal Safe routes to School Program (hereinafter referred to as "SRTS Program") was created by Section 1404 of the Safe, Accountable, Flexible, Efficient Transportation equity Act: A Legacy for Users Act (SAFETEA-LU) signed into Public Law (P.L. 109-59 on August 10, 2015, and

WHEREAS, THE SRTS Program federal highway funds to the State of Ohio Department of Transportation ("ODOT") for infrastructure and non-infrastructure projects, and to administer the Ohio Safe routes to school programs that benefit elementary and middle school children in grades K-8; and

WHEREAS, ODOT is the local administrator of the SRTS Program grant funds, which funds may be awarded up to 100% of the project costs; and

WHEREAS, pursuant to its authority under Ohio Revised Code §5521.01, the State of Ohio ("State") has identified the need to improve the signage, crosswalks, pedestrian signals and sidewalks to service the East Cleveland City Schools in the City of East Cleveland as the local participating agency ("LPA"); and

WHEREAS, the consent of the City is required as this identified need involves improvements lying within the City of East Cleveland and identified by ODOT as PID No. 93609 ("Project"); and

WHEREAS, the LPA agrees to cooperate with the Director of Transportation in the above described Project; and

WHEREAS, the LPA agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation; and further, the City agrees to assume and bear one hundred percent (100%) of the cost of

Preliminary Engineering less the amount of Federal-aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, US Department of Transportation; also the City agrees to assume and contribute one hundred percent (100%) of the cost of any work included in the construction contract, at the request of the City which is determined by the Director not to be part of or made necessary by the improvement; and

WHEREAS, the LPA desires the Director of Transportation to proceed with the aforesaid improvement Project; and

WHEREAS, this legislation is deemed to be an emergency for the public safety and welfare to allow for expeditious implementation of said improvements.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of East Cleveland, County of Cuyahoga and State of Ohio, four-fifths (4/5) of all members therein concurring:

SECTION 1. That the Mayor and the Service Director are hereby authorized to prepare and execute an application for SRTS Program funds to implement the SRTS Project in the City of East Cleveland and to submit same to the State of Ohio Department of Transportation.

SECTION 2. If awarded the funds, the City of East Cleveland further agrees to pay 100% of the construction cost over and above the maximum amount provided by the State of Ohio Department of Transportation.

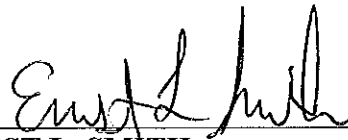
SECTION 3. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid improvement Project.

SECTION 5. That the LPA transmit to the Director of Transportation a fully executed copy of this Ordinance.

SECTION 6. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its Committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 7. This Ordinance is hereby declared to be an emergency measure necessary for the public safety and welfare to allow for expeditious implementation of said improvements and provided it receives the affirmative vote of four-fifths (4/5) of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

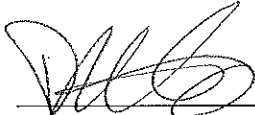
PASSED: March 3, 2020



ERNEST L. SMITH
PRESIDENT OF COUNCIL

3-5-20
Date of Signature

ATTEST:



DR. KHADIJAH F. GUY
CLERK OF COUNCIL

3/3/20
Date of Signature

APPROVED:



BRANDON L. KING, MAYOR

3-9-20
Date of Signature

VETO:

YES ___ NO ___

APPROVED AS TO FORM:



WILLA M. HEMMONS
DIRECTOR OF LAW

3/9/20
Date of Signature

Emergency N/A First Read 2/18/20 Second Read 3/3/20

	Yea	Nay
Councilor Ernest L. Smith	x	
Councilor Korean C. Stevenson	x	
Councilor Nathaniel Martin	x	
Councilor Timothy R. Austin	x	
Councilor Juanita Gowdy	excused	