

COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2020-45

By Chris McManis Sponsored By Mayor Cyril M. Kleem

AN ORDINANCE

AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR, AND IF AWARDED, ENTER INTO AN AGREEMENT WITH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA), ACTING AS A DESIGNATED RECIPIENT OF USDOT FUNDS, FOR THE TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (TLCI) PLANNING STUDIES PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Berea wishes to examine the connectivity between the municipal campus, downtown Berea, Coe Lake and the surrounding areas adjacent to Baldwin-Wallace University, the Metroparks and the Fairgrounds through a study of existing modes of transportation, including motor vehicles, bicycles, pedestrians and horses; and

WHEREAS, NOACA's TLCI Planning Studies Program provides assistance to communities and public agencies for integrated transportation and land use planning projects that strengthen community livability; and

WHEREAS, TLCI advances the goals of NOACA's Regional Strategic Plan by planning, developing and implementing transportation projects that provide more travel options; promoting reinvestment in underutilized or vacant/abandoned properties; supporting economic development; ensuring that the benefits of growth and change are available to all members of a community; enhancing regional cohesion; and providing people with safe and reliable transportation choices; and

WHEREAS, the City of Berea is submitting an application to NOACA to fund the study through the Transportation for Livable Communities Initiative (TLCI) Planning Studies Program; and

WHEREAS, the TLCI Program is paid on a reimbursement basis, requiring the applicant to first expend funds (if matched) and then request reimbursement from NOACA; and

WHEREAS, the City of Berea is an Urban Core Community, enabling a waiver or partial waiver of the local match; and

WHEREAS, the City of Berea agrees to abide by all federal requirements as a sub-recipient of federal transportation funds, including Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act, and including all applicable federal procurement requirements; and

WHEREAS, the City of Berea agrees to be responsible for managing any and all sub-contracting agencies, organizations, or consultants; and

WHEREAS, the City of Berea agrees to complete the agreed-upon scope of services or will forfeit current and future TLCI awards; and

WHEREAS, the City of Berea is authorized to execute a contract with the Ohio Department of Transportation (ODOT) and NOACA, if selected for the TLCI Planning Studies Program.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Berea, State of Ohio:

SECTION 1. That the Mayor is authorized to submit an application to NOACA, acting as the designated recipient of USDOT funds, for the TLCI Planning Studies Program, and if awarded, to execute a contract with NOACA.

COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2020-45

By McManis Sponsored By Mayor Kleem

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that the deadline to make the application is October 16, 2020. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: October 5, 2020

[Signature]
President of Council

ATTEST: [Signature]
Clerk of Council

APPROVED: October 6, 2020
[Signature]
Mayor

Approved as to Form:

[Signature]
Director of Law