

(Mayor Potter)

CITY OF KIRTLAND

RESOLUTION NUMBER 25-R-35

A RESOLUTION DECLARING THAT THE CITY OF KIRTLAND SHALL SERVE AS THE RESPONSIBLE LEAD AGENCY FOR THE ADMINISTRATION OF THE LAK KIRTLAND CHARDON ROAD PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the National Transportation Act has made available certain Federal funding for use by local public agencies. The Federal Highway Administration (FHWA) designated the Ohio Department of Transportation (ODOT) as the agency in Ohio to administer FHWA's Federal funding programs; and

WHEREAS, Section 5501.03(A)(3) of the Ohio Revised Code provides that the Director of ODOT may coordinate the activities of ODOT with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers and functions; and

WHEREAS, Section 5501.03(D) of the Ohio Revised Code provides that the Director of ODOT may enter into contracts with political subdivisions to administer the design, qualification of bidders, competitive bid letting, construction inspection, research, and acceptance of any projects or transportation facilities administered by ODOT, provided the administration of such projects or transportation facilities is performed in accordance with all applicable state and federal laws and regulations with oversight by ODOT; and

WHEREAS, the LAK Kirtland Chardon Road Project PID121589 (hereinafter known as "the project") is a transportation activity eligible to receive federal/state funding; and

WHEREAS, the City of Kirtland ("LPA") has received funding approval for the project listed above from the ODOT Program Manager having responsibility for the federal/state funds involved; and

WHEREAS, it is the mutual desire of both ODOT and the LPA to have the LPA serve as the responsible lead agency for the administration of the project; and

WHEREAS, the LPA authorizes the Mayor or his designee to enter into an agreement with ODOT for the above-mentioned improvements.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kirtland, County of Lake and State of Ohio, that:

SECTION I: This Council hereby authorizes the Mayor or his designee to enter into an agreement with ODOT for the above-mentioned improvements and that the City of Kirtland shall serve as the lead agency for the administration of the Project.

SECTION II:

(a) It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were passed 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 action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

(b) This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that the Project is immediately necessary in order to expedite the roadway project and promote highway safety. Therefore, this Resolution shall be in full force and effect immediately upon its passage by the affirmative vote of five (5) members of Council and approval by the Mayor, otherwise this Resolution shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: _____
Second Reading: _____
Third Reading: _____

DATE PASSED: _____

President of Council

Submitted to the Mayor for his
Approval on this _____ day of
_____, 2025.

ATTEST:

Approved by the Mayor, this ____ day
of _____, 2025.

Clerk of Council

ODOT Kirtland Serve as Lead Agency for LAK Kirtland Chardon Road Project

Mayor Kevin F. Potter

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Kirtland, of Lake County, Ohio

I, Denise Roelle, as Clerk of the Council for the City of Kirtland, of Lake County, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution 22-R- adopted by the legislative Authority of the said City of Kirtland on the on the _____ day of _____, 2____. That the publication of such Resolution has been made and certified of record according to Law; that no proceedings looking to a referendum upon such Resolution have been taken; and that such Resolution and certificate of publication thereof are of record in _____, Page _____.
(Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this _____ day of _____ 2_____.

(Clerk)

(CITY SEAL)

_____ of _____ County, Ohio
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Kirtland of Lake County, Ohio.

Attested: _____ Date _____
(Contractual Agent)

For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)