

CITY OF FAIRVIEW PARK
ORDINANCE NO. 20-39
REQUESTED BY: MAYOR PATRICK J. COONEY
SPONSORED BY: COUNCILWOMAN KING
CO-SPONSORED BY: COUNCILMAN MINEK

AN ORDINANCE SUPPORTING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (“NOACA”) FOR THE 2021 TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (“TLCI”) PLANNING GRANT PROGRAM AND AUTHORIZING THE MAYOR TO ACCEPT ANY AWARDED GRANT FUNDS AND FILE ALL DOCUMENTS AND EXECUTE ALL AGREEMENTS NECESSARY TO RECEIVE ANY AWARDED GRANT FUNDS AND DECLARING AN EMERGENCY

WHEREAS, NOACA provides funding through TLCI for planning projects that integrate transportation and land use planning, promote livability, and advance the goals of NOACA’s long-range transportation plan for Northeast Ohio; and

WHEREAS, such planning projects can be leveraged for future infrastructure improvements, including amenities for multi-modal transportation, lane reconfigurations, wayfinding installations, green infrastructure, and public art; and

WHEREAS, the City of Fairview Park (“City”) is submitting an application to NOACA for TLCI funding to undertake a planning study for Brookpark Road (State Route 17) and the entire area south of Interstate 480 (“Project”) and legislation supporting and authorizing that application is required; and

WHEREAS, the TLCI program provides a 100 percent reimbursement of costs for municipalities identified as an “Urban Core Community” and the City is designated as such; and

WHEREAS, if awarded TLCI funds, applicants must first expend funds and then request reimbursement from NOACA or the award may be received in the form of technical assistance, which includes NOACA staff hours allocated to the Project; and

WHEREAS, the City 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 agrees to be responsible for managing any and all subcontracting agencies, organizations, or consultants if awarded on a reimbursement basis; and

WHEREAS, the City agrees to complete the agreed upon scope of services or will forfeit current and future TLCI awards and repay TLCI funds expended on unfinished projects.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:

SECTION 1. That the Council of the City of Fairview Park hereby approves the application to be submitted for the Project to be funded under the 2021 TLCI program.

SECTION 2. That the City's request for TLCI funding is an amount not to exceed One Hundred Thousand Dollars (\$100,000).

SECTION 3. That the collective amount of said contract shall not exceed One Hundred Thousand Dollars (\$100,000) and that the costs of said contract is to be paid on a reimbursement basis out of the Federal Grants Fund (290).

SECTION 4. That the Mayor and City Administration are authorized to file all documents and execute all agreements necessary to accept the award and receive any grant funds; and that the funds are appropriated solely for purposes described in this Ordinance.

SECTION 5. 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 any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of public peace, health, safety and welfare; and for the further reason that the application must be submitted by the October 16, 2021 deadline; and provided it received an affirmative vote of a majority plus one of the 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:
APPROVED:

1st reading: 10.05.20
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Patrick J. Cooney, Mayor

Liz L. Westbrooks, Clerk of Council