

ORDINANCE NO. 2-21

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO ENTER INTO AN LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE CONSTRUCTION OF WATERFRONT WALKWAY PROJECT, AND DECLARING AN EMERGENCY

WHEREAS, the City has reviewed the LPA Federal-Let Project Agreement (the "Agreement") from ODOT for financial assistance in the construction of the Waterfront Walkway Project (the "Project") and the responsibilities and obligations of each of the parties to the Agreement; and

WHEREAS, this Council has considered the benefits to the City of proceeding with the Project and finds and determines that the City should be the LPA for the Project, and should execute the Agreement as authorized by this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Port Clinton, County of Ottawa and State of Ohio:

Section 1. The Director of Safety and Service is hereby authorized and directed to enter into the Agreement with the Ohio Department of Transportation providing for Port Clinton to serve as the local public agency (LPA) to administer the Project. A copy of the Agreement is on file with the Director. A final draft of the Agreement is required to be executed and is hereby authorized and directed to be executed by the Director, but with such changes and modifications therein as he shall determine necessary, that are not materially adverse to the City, after consultation and review with the Director of Law, and which changes are approved on behalf of the City by the Director, all of which shall be evidenced conclusively by his execution of the Agreement.

Section 2. The Mayor, the Auditor, the Treasurer, the Clerk of Council, the Director of Safety and Service, the Director of Law, and other City officials, as appropriate, are each authorized and directed to take any and all such other actions, including execution and delivery of any agreements or instruments as are necessary, appropriate or required to consummate the transactions contemplated by this Ordinance.

Section 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council, and any of its committees, that resulted in those actions were in meetings open to the public, in compliance with the law.

Section 4. This Ordinance is 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 this Ordinance is required to be immediately effective so that the City may immediately execute the Agreement authorized herein, to meet the required

timeline of the Ohio Department of Transportation; **wherefore**, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____, 2021

President of Council

Attest: _____
Clerk of Council

Approved _____, 2021

Mayor