

ORDINANCE NO. 16 - 21

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO ENTER INTO AN AGREEMENT WITH POGGEMEYER DESIGN GROUP, INC. FOR PRE ENGINEERING AND DESIGN SERVICES FOR THE PORT CLINTON INFRASTRUCTURE ABOVE GROUND PROJECT AND DECLARING AN EMERGENCY

WHEREAS, the City has reviewed the Agreement between Poggemeyer Design Group, Inc. and the City of Port Clinton to obtain professional services for pavement resurfacing infrastructure improvements for the Port Clinton Infrastructure Above Ground Project (the "Agreement") and has reviewed the responsibilities and obligations of each of the parties to the Agreement, and

WHEREAS, the City would like to enter into an Agreement with Poggemeyer Design Group, Inc. to retain an engineer to provide Phase 1 Preliminary Design Professional Services for field work associated with pavement investigation and dimensional confirmation, preliminary engineering design and probable project cost development, and an updated analysis of debt service cost with a determination of revenue option to cover debt service, along with assistance for funding source determinations and administration; and

WHEREAS, this Council has considered the benefits to the City of proceeding with the Port Clinton Infrastructure Above Ground Project, and finds and determines that the City 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 (the "Director") is hereby authorized to enter into the Agreement with Poggemeyer Design Group, INC., to retain an engineer to provide Phase 1 Preliminary Design Professional Services for field work associated with pavement investigation and dimensional confirmation, preliminary engineering design and probable project cost development, and an updated analysis of debt service cost with a determination of revenue option to cover debt service, along with assistance for funding source determinations and administration. 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 Director, all of which shall be evidenced conclusively by his execution of the Agreement.

**Section 2.** The funds necessary to enter into the Agreement are hereby appropriated from the Infrastructure Improvement Fund.

**Section 3.** 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 4.** 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 5.** 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 so the City may timely move forward with Design Services for the Port Clinton Infrastructure Above Ground Project, 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