

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 55 - 2017

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR
8 AND ACCEPT FINANCIAL ASSISTANCE IN THE FORM OF A
9 GRANT FROM THE FEDERAL CONGESTION
10 MITIGATION/AIR QUALITY FUNDS PROGRAMMED BY THE
11 AKRON METROPOLITAN AREA TRANSPORTATION STUDY
12 (AMATS) FOR THE IMPROVEMENT OF WEST PORTAGE
13 TRAIL, FROM STATE ROAD TO ALBERTSON PARKWAY, AND
14 DECLARING AN EMERGENCY.
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16 WHEREAS, the United States Congress has set aside monies for Congestion Mitigation
17 and Air Quality (CMAQ) projects through the State of Ohio, Department of Transportation
18 (ODOT) and administered by the Akron Metropolitan Area Transportation Study (AMATS);
19 and
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21 WHEREAS, Local Public Agencies, (LPAs) can apply for these monies and be selected for
22 funding by the Ohio Association of Regional Councils (OARC), who has been charged with
23 management of a statewide CMAQ program by ODOT; and
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25 WHEREAS, the Improvement of West Portage Trail from State Road to Albertson Parkway
26 is a transportation activity eligible to receive federal CMAQ funding; and
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28 WHEREAS, if requested funds are granted, the City of Cuyahoga Falls shall be responsible
29 for at least twenty (20%) percent of the eligible costs; and
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31 WHEREAS, the Improvement of West Portage Trail from State Road to Albertson Parkway
32 is vital to the safe and efficient travel of motorists and pedestrians; and
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34 WHEREAS, the Improvement of West Portage Trail from State Road to Albertson Parkway
35 is in need of reducing congestion and improving access to pedestrians and bicyclists.
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37 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
38 County of Summit, and State of Ohio, that:
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40 Section 1. The Mayor is hereby authorized to apply for and accept financial assistance in
41 the form of a grant from the Federal Congestion Mitigation/Air Quality (CMAQ) Funds
42 programmed by the Akron Metropolitan Area Transportation Study (AMATS) for the following
43 Congestion Reduction Project and Pedestrian/Bicycle Facilities:
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45 Project Description: The Improvement of West Portage Trail from State Road to Albertson
46 Parkway, including turn lanes, bicycle lanes and sidewalks.
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48 Estimated Construction Cost: \$5,900,000.
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50 Section 2. This Council's authorization is granted with the following understandings:
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- 52 A. The City will bear one hundred percent (100%) of the cost of preliminary engineering.
- 53 B. The City will bear one hundred percent (100%) of the total cost of those features
54 requested by the City which are not eligible for federal participation.
- 55 C. The federal share will assume eighty percent (80%) of the construction cost of the
56 improvement not to exceed \$3,600,000. The City will be responsible for the local
57 share.
- 58 D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of the
59 "AMATS 2014 CMAQ Guidance" to this funding request.

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Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 4. 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 action, were in meetings open to the public, in compliance with all legal requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

Section 5. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

Passed: 7-31-17

Mary Ellen Lyke
President of Council

[Signature]
Clerk of Council

Approved: 8-1-2017

[Signature]
Mayor

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