

CITY OF FRANKLIN, OHIO
RESOLUTION 2020-21

**PRELIMINARY PARTICIPATORY LEGISLATION FOR THE ODOT
DISTRICT 8 GUARDRAIL TYPE A REPLACEMENT PROJECT**

The following Resolution is enacted by the City of Franklin, Warren County, Ohio, hereinafter referred to as the Local Public Agency (“LPA”), in the matter of the Project described herein.

SECTION I — Project Description

WHEREAS, the Local Public Agency has identified the need for the following described project (“Project”):

District wide replacement of type A anchor assembly guardrail on NHS local routes, to include a portion of SR 73 and SR 123 in the City of Franklin.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of Council members present concurring, that:

SECTION II — Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III — Cooperation Statement

The LPA shall cooperate with the Ohio Department of Transportation (“ODOT”) Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all costs of the improvement.

The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION IV — Authority to Sign

The City Manager of said City of Franklin is hereby authorized on behalf of the City of Franklin to enter into and execute contracts with the Director of Transportation which are necessary to complete the above-described project.

SECTION V — Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION VI — Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall:

- (1) Provide adequate maintenance for the Project in accordance with all applicable State and Federal laws including, but not limited to, Title 23 USC Section 116;
- (2) Provide ample financial provisions, as necessary, for the maintenance of the Project;
- (3) Maintain the right-of-way, keeping it free of obstructions; and
- (4) Hold said right-of-way inviolate for public highway purposes.

SECTION VII - Sunshine Law

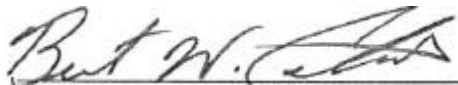
It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

SECTION VIII - Effective Date

This Resolution shall take effect and be in force immediately upon its passage.

ADOPTED: April 20, 2020

ATTEST:  _____
Lynnette Dinkler
Acting Clerk of Council

APPROVED:  _____
Brent W. Centers
Mayor

CERTIFICATE OF COPY
STATE OF OHIO

City of Franklin of Warren County, Ohio
(LPA)

I, Lynnette Dinkler, as Acting Clerk of Council of the City of Franklin, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution 2020-21, adopted by the Council of the said City of Franklin on the 20th day of April, 2020; and that publication of such Resolution is not required pursuant to the Franklin City Charter; and that Resolutions are not subject to referendum per the Franklin City Charter.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 20 day of April, 2020.

(Seal)



Lynnette Dinkler, Acting Clerk of Council
City of Franklin of Warren County, Ohio