

REQUESTED BY:
BROWN

LAW DEPARTMENT
Draft No. 0047

TITLE

AN ORDINANCE FOR THE PURPOSE OF AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY, ON BEHALF OF THE CITY OF WARREN, TO ENTER INTO AN AGREEMENT(S) WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF NATURAL RESOURCES, AND ANY OTHER AGREEMENT(S) AND/OR CONTRACT(S), WHICH MAY BE NECESSARY OR USEFUL FOR THE INSTALLATION OF THE PACKARD PARK SMALL BOAT LAUNCH HEREAFTER "IMPROVEMENT", AND DECLARING AN EMERGENCY.

ORDINANCE NO. 12950/2020

WHEREAS, the City of Warren, Ohio has identified the need for and proposes the installation of the Packard Park Small Boat Launch; and

WHEREAS, the City of Warren further desires financial assistance from the Ohio Department of Natural Resources, through the Division of Parks and Watercraft for the installation of the "improvement"; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That the City of Warren, Ohio hereby requests the cooperation of the Director of the Ohio Department of Natural Resources in the cost of the above described improvement project.

Section 2: That the Director of Public Service and Safety of the City of Warren is hereby empowered on behalf of the City of Warren, Ohio to enter into an Agreement(s) with the Director of the Ohio Department of Natural Resources, and any other party necessary or useful to complete the design, construction, installation and maintenance of this improvement.

Section 3: (Authority to Sign) That the Director of Public Service and Safety of the City is hereby empowered on behalf of the City to enter into agreement(s) with the Director of the Ohio Department of Natural Resources, and any other party, necessary or useful to complete the design, construction, installation, and maintenance of this improvement.

Section 4: That the Auditor of the City of Warren agrees to obligate the funds required to satisfactorily complete the proposed project and to become eligible for reimbursement under the terms and conditions of the Grant Agreement.

Section 5: That the City of Warren's share of the project cost shall be in accordance with provisions of the Project Grant Agreement with is summarized as follows: ODNR agrees to provide the City of Warren funding assistance not to exceed \$74,118 from the Division of Parks and Watercraft grant program. ODNR funding will be provided upon receipt of eligible costs paid by the City of Warren in constructing said improvement at a rate equal to no more than one hundred percent of such eligible costs. The City of Warren will bear one hundred percent of the costs for items within the project that exceed the funding limits established by the Project Grant Agreement.

Section 6: That the City of Warren, Ohio shall follow all applicable laws in determining whether the Project must be competitively bid, and if competitive bidding for the Project is not required by law, to the extent reasonable possibly as determined by the City of Warren, the City of Warren shall employ an open and competitive process in the selection of its contractors. Bid documents designed to be so restrictive to exclude open competitive bidding and bid documents that do not allow for "or equal" provisions, may not be acceptable. Plans must reflect the intent of the Project as described in the authorizing legislation. Once approved by ODNR, plans and specifications should not be substantially modified. ODNR must be notified of any planned substantial changes, and only approved changes will be eligible for reimbursement.

Section 7: That the contract(s) shall first be approved by the Law Director and the City Auditor be, and hereby is, authorized to disburse said funds upon receipt of proper vouchers, signed by the proper persons, for the stated purpose and for no other purpose.

Section 8: That upon completion of said improvement(s), the property will be operated and maintained so as to be safe, attractive, and inviting to the public. The facilities will be kept in reasonable repair throughout their estimated life expectancy.

Section 9: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety, and for the further reason that there exists a need for expediting the improvements at the earliest possible time and without undue delay. WHEREFORE, this Ordinance shall go into immediate effect.

Passed in Council this 11TH day of AUGUST, 2020.

SIGNED: [Signature] ATTEST: [Signature]
PRESIDENT OF COUNCIL CLERK

FILED WITH THE MAYOR: 8-12-2020

DATE APPROVED: 8-12-2020

[Signature]
MAYOR, CITY OF WARREN, OHIO

ON	YES	NO
		GRAHAM
		RUCKER
		STEINBECK
		BROWN
		WHITE
		SAFFOLD
		MACPHERSON
		FORTE
		GREATHOUSE
		NOVAK
		LARSON

YES	NO
	GRAHAM
	RUCKER
	STEINBECK
	BROWN
	WHITE
	SAFFOLD
	MACPHERSON
	FORTE
	GREATHOUSE
	NOVAK
	LARSON