

Ordinance No. 592-2020

AN EMERGENCY ORDINANCE

**By Council Members McCormack,
Johnson, Brancatelli and Kelley
(by departmental request)**

Authorizing the Director of Capital Projects or Public Works to enter into one or more agreements with the Cleveland-Cuyahoga County Port Authority for improvements to Irishtown Bend and Franklin Avenue; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record all property necessary.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Capital Projects or Public Works is authorized to enter into one or more agreements with the Cleveland-Cuyahoga County Port Authority to contribute funds necessary for the design and construction of Irishtown Bend Stabilization and Franklin Avenue Reconstruction from West 25th Street to Columbus Road (the "Improvement").

Section 2. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record all property necessary to make the Improvement, including but not limited to gift, fee simple acquisitions, temporary and permanent easements, and work agreements. The consideration to be paid for the property shall not exceed fair market value.

Section 3. That the Director of Capital Projects or Public Works is authorized to execute on behalf of the City all documents necessary to acquire, accept, and record the property and to employ and pay all fees for title companies, surveys, escrows, appraisers, review appraisers, and all other costs necessary for the acquisition of the property.

Section 4. That the Director of Capital or Public Works is authorized to enter into any agreement necessary to implement the Improvement.

Section 5. That any agreement authorized in this ordinance shall be prepared by the Director of Law.

Section 6. That the cost of the agreement and land acquisition shall be paid from Fund Nos. 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, 20 SF 592, from the fund or funds to which are credited the sale of future bonds if issued for this purpose, and from funds approved by the Director of Finance. (RQS 0103, RLA 2020-42)

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected 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 from and after the earliest period allowed by law.

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READ FIRST TIME on JULY 29, 2020

and referred to DIRECTORS of Capital Projects, Public Works,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Development Planning and Sustainability, Finance

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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REPORT after second Reading

PASSAGE RECOMMENDED BY
COMMITTEE ON
**MUNICIPAL SERVICES
AND PROPERTIES**

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
**DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

FILED WITH COMMITTEE

