

Ordinance No. 1058-2021

**By Council Members Gray, Bishop,
Brancatelli and Kelley (by departmental
request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Works to enter into any and all inter-agency agreements, leases, permits, cooperative agreements, and joint use agreements with the Ohio Department of Transportation and other public agencies needed for site control, use, operation, repair and maintenance of the Downtown Connector Trail already completed by ODOT and/or as segments of this multi-purpose trail are completed by ODOT and other public agencies, for a period up to twenty-five years per agreement.

WHEREAS, the Downtown Connector Trail is an important link in Cleveland's urban trail network that will connect the Metroparks' Washington Reservation to East 9th Street and link the existing Morgana Run Trail in Slavic Village to downtown Cleveland; and

WHEREAS, portions of the Downtown Connector Trail (the "Trail") have already been constructed by the Ohio Department of Transportation ("ODOT") and additional portions will be constructed in the future by ODOT and other public agencies; and

WHEREAS, the City is seeking authority to enter into one or more inter-agency agreements, leases, permits, cooperative agreements, and joint use agreements for existing portions of the trail already constructed by ODOT and/or other sections of the Trail as they are completed by ODOT or other agencies; and

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 the Director of Public Works is authorized to enter into any and all inter-agency agreements, leases, permits, cooperative agreements, and joint use agreements with the Ohio Department of Transportation and other public agencies needed for site control, use, operation, repair and maintenance for the portions of the Trail already completed by ODOT and/or as segments of this multi-purpose trail are completed by ODOT and other public agencies. The City shall be responsible for the repair and maintenance costs associated with portions of the Trail already completed by ODOT and for those which will be completed in the future by ODOT and other public agencies. The term of the agreements authorized in this section shall not exceed twenty-five years per agreement.

Section 2. 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.

