

# Ordinance No. 814-2025

By Council Members McCormack, Bishop and Hairston (by departmental request)

## AN EMERGENCY ORDINANCE

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to replace the Lorain Avenue Bridge over Columbus Road; and authorizing agreements.

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 it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio (the “State”) to construct the following improvement under plans, specifications, and estimates approved by the State: replace the Lorain Avenue (SR-10) bridge over Columbus Road (CUY-010-15.890; Bridge SFN 1801473), PID 115825 (the “Improvement”).

Section 2. That the City gives its consent to the Improvement and its administration by the Director of Transportation, provided that this ordinance shall not be construed to impose any financial obligation on the City for the Improvement. However, the City agrees to assume and contribute 100% of the cost of any item, included in the construction contracts at the request of the City, which are determined by the Director of Transportation to be ineligible or unnecessary for the Improvement.

Section 3. Cooperation Statement. The City shall cooperate with the Director of Transportation in the development and construction of the Improvement, and shall enter into a LPA Federal ODOT Let Project agreement, if applicable.

Section 4. Utilities and Right-of-Way Statement. The City agrees that all right-of-way acquired for the Improvement will be acquired and/or made available to ODOT under current State and Federal regulations. The City also understands that right-of-way costs include eligible utility costs. The City agrees that all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

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Section 5.     Maintenance. Upon completion of the Improvement, the City shall (1) provide adequate maintenance for the Improvement in accordance with all applicable State and Federal law, including but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Improvement; (3) maintain the right-of-way, keeping it free of obstruction, and (4) hold said right-of-way inviolate for public highway purposes.

Section 6.     That this Council requests the State to proceed with the Improvement.

Section 7.     That the Director of Capital Project, or his designee, is authorized to enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the Improvement; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Improvement.

Section 8.     That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the Improvement.

Section 9.     That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 10.    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.

PMA:nl  
7-9-2025  
FOR: Director DeRosa

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READ FIRST TIME on JULY 9, 2025  
and referred to DIRECTORS of Capital Projects,  
City Planning Commission, Finance, Law;  
COMMITTEES on Municipal Services and Properties,  
Finance Diversity Equity and Inclusion

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

REPORT  
after second Reading

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
MUNICIPAL SERVICES  
AND PROPERTIES

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE, DIVERSITY, EQUITY  
and INCLUSION