

# Ordinance No. 36-2024 AS AMENDED

By Council Members Conwell and Griffin  
(by departmental request)

## AN EMERGENCY ORDINANCE

To amend the title, the second whereas clause, and Sections 1, 2, and 4 of Ordinance No. 895-2022, passed October 3, 2022, relating to authorizing the Director of City Planning to create the Transformative Arts Projects Fund Program; to supplement the ordinance to add new Sections 2a and 2b; to repeal Section 5 and renumber existing Section 6 to new Section 5.

WHEREAS, under Ordinance No. 895-2022, passed October 3, 2022, this Council authorized the Director of City Planning to create the Transformative Public Art Projects Fund Program (“Arts Programs”) to provide grants to Community Development Corporations, non-profit organizations and other public and private entities for public accessible art programs; and

WHEREAS, the City desires to contract with the Assembly for the Arts to establish, manage, and implement the Arts Program; 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 title, the second whereas clause, and Sections 1, 2, and 4 of Ordinance No. 895-2022, passed October 3, 2022, are amended to read as follows:

An Emergency Ordinance authorizing the Director of City Planning to create the Transformative Public Art Projects Fund Program; ~~and to enter into grant agreements under the program~~ and to enter into contract with the Assembly for the Arts to establish, implement, and manage the Program.

WHEREAS, the Director of City Planning desires to use a portion of such available funding to create the Transformative Public Art Projects Fund Program, to be established, implemented, and managed by the Assembly for the Arts, to provide grants to Community Development Corporations, non-profit organizations and other public and private entities for publicly accessible art programs; and

Section 1. That the Director of City Planning (“Director”) is authorized to enter into contract with the Assembly for the Arts to establish, implement and manage ~~create and administer~~ the “Transformative Public Art Projects Fund Program” to provide financial assistance to provide grants to Community Development Corporations and other public and private entities for publicly accessible art programs in the estimated amount of \$3,000,000. To assist the Director ~~of City Planning~~ in both the administration of the Transformative Public Art Projects Fund Program and in the selection of the artists themselves, a Program Arts Committee shall be established within sixty (60) days of the Effective Date of this ordinance consisting of seven (7) members who shall include the following: (a) three (3) City residents selected by the Mayor, or the Mayor’s designee; (b) two (2) City residents selected by the Council President; (c) one (1) designated City Council Member selected by the Council President; and (d) one (1) City community arts organization representative jointly

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selected by the Mayor, or the Mayor's designee, and the designated City Council Member. This Program Arts Committee shall meet at least quarterly. The Assembly for the Arts shall work with the Director and the Program Arts Committee to administer the Program and to select the artists, as set forth in File No. 36-2024-A and that all members of Council are notified of any award made under this ordinance as the awards are made."

~~Section 2. Repealed. That the Director of City Planning is authorized to enter into one or more grant agreements with Community Development Corporations, non-profit organizations and other public and private entities for the program described above.~~

Section 2. That the contract authorized in Section 1 shall be prepared by the Director of Law and shall contain such terms and conditions as set forth in the above-mentioned file.

~~Section 4. That the cost of the grant agreement entered into under this ordinance agreement shall not exceed \$90,000 and shall be paid from Fund No. 01-001-9997, Fund No. 15 SF 190, and other funds approved by the Director of Finance. (RQS 8006, RLA 2022-67)~~

Section 2. That the existing title, the second whereas clause, and Sections 1, 2, and 4 of Ordinance No. 895-2022, passed October 3, 2022, are repealed.

~~Section 3. That Section 2 of Ordinance No. 895-2022, passed October 3, 2022, is repealed.~~

Section 3. That Ordinance Number 895-2022, passed October 3, 2022 is supplemented by adding new Sections 2a and 2b to read as follows:

"Section 2a. That the Assembly for the Arts, the Director, and the Program Arts Committee will report to Council quarterly as set forth in the above-mentioned file regarding the use of funds and Program progress.

Section 2b. That any documents implementing the Transformative Public Art Projects Fund Program shall recognize Cleveland City Council."

Section 4. That Section 5 of Ordinance No. 895-2022, passed October 3, 2022, is repealed and existing Section 6 is renumbered to new "Section 5".

Section 5. 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.

RB:nl  
1-8-2024  
FOR: Director Huang

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**REPORT  
after second Reading**

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\_\_\_\_\_ **READ FIRST TIME** \_\_\_\_\_ **REPORTS**

and referred to \_\_\_\_\_

by the council \_\_\_\_\_

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_ **READ SECOND TIME** \_\_\_\_\_

by the council \_\_\_\_\_

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_ **READ THIRD TIME** \_\_\_\_\_

by the council \_\_\_\_\_

\_\_\_\_\_  
**PRESIDENT**

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_ **APPROVED** \_\_\_\_\_

\_\_\_\_\_  
**MAYOR**