

Ordinance No. 1402-2025

Desk copy

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to employ one or more professional consultants for the construction of pedestrian enhancements along Euclid Avenue from upper Valley Drive to Ivanhoe Road known as the Euclid Avenue Pedestrian Improvement Project; to apply for and accept gifts or grants from any public or private entity; authorizing the Mayor and the Commissioner of Purchases and Supplies, as appropriate, to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvement; and authorizing the Director of Capital Projects to enter into any relative 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 the Director of Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for the construction of pedestrian enhancements along a 1.25 mile stretch on Euclid Avenue from upper Valley Drive to Ivanhoe Road known as the Euclid Avenue Pedestrian Improvement Project (the "Improvement").

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Capital Projects from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Capital Projects for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Capital Projects, and certified by the Director of Finance.

Section 2. That under Section 108(b) of the Charter, the services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Capital Projects may sign all documents that

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are necessary to obtain such services, and may enter into one or more contracts with the consultants selected through that cooperative process. That the Director of Public Works shall provide written notice to the Clerk of Council whenever any purchase is made under this section, which notice shall include the details of any such cooperative purchases.

Section 3. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity, including but not limited to the Northeast Ohio Areawide Coordinating Agency ("NOACA") and the State of Ohio; and that the Director is authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in this ordinance.

Section 4. That, when appropriate, the Director of Capital Projects is authorized to enter into one or more contracts with the railroads, Greater Cleveland Regional Transit Authority, the Northeast Ohio Regional Sewer District and other entities to obtain services or to acquire property rights such as easements and licenses, necessary to construct the improvements described in this ordinance.

Section 5. That the Director of Capital Projects is authorized to accept cash contributions from public or private entities for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvement.

Section 6. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Mayor and the Commissioner of Purchases and Supplies, as appropriate, are authorized to acquire, accept, and record for right-of-way purposes any real property including but not limited to fee simple acquisitions, temporary easements, permanent easements, and work agreements as is necessary to

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make the Improvement. The consideration to be paid for the property and easements shall not exceed fair market value, as determined by the Board of Control.

Section 7. That the Director of Capital Projects is authorized to execute, on behalf of the City, all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

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

Section 9. That the cost of this ordinance shall be paid from the fund or funds to which are credited any gifts or grants received under this ordinance. (RQS 0103, RLA 2025-108)

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
11-10-25

FOR: Director DeRosa

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REPORT
after second Reading

Mr.

AN EMERGENCY ORDINANCE

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio construct pedestrian enhancements on Euclid Avenue known as the Pedestrian Improvements Project; to apply for and accept gifts or grants from any public or private entity; authorizing the Director of Capital Projects to enter into any relative agreements; to employ one or more professional consultants to design the improvement.

READ FIRST TIME

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

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