



***City of Cleveland***  
***Department of Law***  
***Mark Griffin, Director***  
***Interoffice Memorandum***

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To: Clerk Patricia Britt

Date: August 4, 2022

From: Stephanie Melnyk  
Chief Assistant Director of Law

Re: Ord. No. 125-2021

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At the request of the Department of Public Works, I am requesting that Ordinance No. 125-2021 be tabled at the next available Council meeting. The legislation is currently in the Municipal Services and Properties Committee Box.

The Department states that the legislation is no longer needed due to the passage of Ordinance No. 702-2022 on June 6, 2022, regarding the creation of the Urban Forestry Commission, and that the GIS data requested under that ordinance has been obtained from the Division of Information Technology and Services.

Enc.

cc: Allan Dreyer, City Council  
Chiefs Ryan Puente, Elise Hara Auvil, Bradford Davy and Bonnie Teeuwen  
Council President Griffin and Council Members Bishop, Kazy, and McCormack  
Director Frank Williams  
Commissioner Anthony Scott  
John Laird, Manager of Administration  
Yanna Maxwell, Department of Public Works

**Ordinance No. 125-2021**

**By Council Members:** Bishop and Kelley (by departmental request)

**An emergency ordinance authorizing the Director of Public Works to apply for and accept a grant from the Cuyahoga County Planning Commission for the 2019 Cuyahoga County Healthy Urban Tree Canopy Grant Program; and authorizing the Director to employ one or more professional consultants to perform field validation of street tree location and data to survey and map out trees and other related services.**

**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 apply for and accept a grant in the amount of \$47,356, and any other funds that may become available during the grant term from the Cuyahoga County Planning Commission to conduct the 2019 Cuyahoga County Healthy Urban Tree Canopy Grant Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the project agreement for the grant contained in the file described below.

**Section 2.** That the project agreement for the grant, File No. 125-2021-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Works is authorized to extend the term of the grant during the grant term.

**Section 4.** That the Director of Public Works 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 to perform field validation of street tree location and data to survey and map out trees and other related services needed to implement the grant.

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 Public Works from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Works 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 Public Works, and certified by the Director of Finance.

**Section 5.** That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance and from Fund No. 01-7001-6926, RQS 7012, RLA 2021-21.

**Section 6.** 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.

**Referred to the Directors of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance.**