

Ordinance No. 34-2026

By Council Members Bishop, Slife and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to enter into a license and right-of-entry agreement granting the National Railroad Passenger Corporation, also known as AMTRAK, or its designee, the right to use and occupy City-owned property located adjacent to the Cleveland Memorial Shoreway to operate its rail passenger station for a period of two years continuing month-to-month thereafter and to make the public improvement of installing and maintaining Americans with Disabilities Act, or ADA-compliant, improvements at the site.

WHEREAS, the City of Cleveland (“City”) owns Permanent Parcel No. 101-03-010 used primarily as passenger rail facilities (the “City Property”), and, through historic agreements, the National Railroad Passenger Corporation (aka “AMTRAK”) operates intercity passenger rail services at the City Property, which services are subject to federal statutory and regulatory requirements regarding accessibility under the Americans with Disabilities Act (“ADA”); and

WHEREAS, through a license and right-of-way agreement granted by the City (the “Agreement”), AMTRAK will use and occupy the City Property to operate its rail passenger station and to make the public improvement, at AMTRAK’s sole cost and expense, of designing, constructing, and maintaining certain accessibility and related measures on City Property in order to remain federally compliant with the ADA (the “Improvement”); 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, notwithstanding Section 183.16 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Capital Projects is authorized to enter into an Agreement with AMTRAK, or its designee, to implement the improvement. The cost of the license is \$1.00 and other valuable consideration, which is determined to be fair market value.

Section 2. That the term of the Agreement shall be two (2) years, after which the Agreement may continue month-to-month at the discretion of the Director of Capital Projects unless terminated earlier.

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Section 3. That the Agreement shall be prepared by the Director of Law and shall contain such terms and conditions necessary to protect and benefit the public interest.

Section 4. That the Director of Capital Projects and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other action as may be necessary or appropriate to effect the Agreement authorized by this ordinance.

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.

KR:VG:nl
1-12-26

FOR: Director DeRosa

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EAD FIRST TIME on JANUARY 12, 2026

REPORTS

and referred to DIRECTOR of Capital Projects, City Planning Commission, Finance, Law;

COMMITTEES on Municipal Services and Properties, Transportation and Mobility, Finance Diversity Equity and Inclusion

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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**REPORT
after second Reading**

PASSAGE RECOMMENDED BY
COMMITTEE ON
**MUNICIPAL SERVICES
AND PROPERTIES**

FILED WITH COMMITTEE _____

PASSAGE RECOMMENDED BY
COMMITTEE ON
**TRANSPORTATION and
MOBILITY**

FILED WITH COMMITTEE _____

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

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