

Ordinance No. 834-2024

By Council Members Bishop and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Finance or Director of Public Works, as appropriate, on behalf of the Office of Sustainability, to apply for and accept a grant from the United States Department of Agriculture, Forest Service, for the Strategic Investments in Equitable Tree Canopy Growth and Preservation Grant; to enter into various written standard purchase and requirement contracts for urban forestry services; to employ one or more professional consultants; and authorizing the appropriate Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

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 Finance or Director of Public Works, as appropriate, on behalf of the Office of Sustainability, is authorized to apply for and accept a grant in the amount up to \$3,400,000, and any other funds that may become available during the grant term from the United States Department of Agriculture, Forest Service, to implement the Strategic Investments in Equitable Tree Canopy Growth and Preservation Grant; that the appropriate 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 budget for the grant contained in the file described below.

Section 2. That the budget for the grant, **File No. 834-2024-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 Finance or Director of Public Works, as appropriate, on behalf of the Office of Sustainability, is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the appropriate Director, during the grant term, for the necessary items of materials, equipment, supplies, and services needed for urban forestry services, including but not limited to, tree inventory services, maintaining and planting trees, and removing trees, stumps, and tree waste material, for the purpose of

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maintaining and restoring the urban tree canopy of Cleveland, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the appropriate Department. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

Section 4. That the Director of Finance or Director of Public Works, as appropriate, on behalf of the Office of Sustainability, 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 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 appropriate Director from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the appropriate Director 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 appropriate Director, and certified by the Director of Finance.

Section 5. That the Director of Finance or Director of Public Works, as appropriate, on behalf of the Office of Sustainability, is authorized to enter into one or more contracts with Cuyahoga County, the Board of Park Commissioners of the Cleveland Metropolitan Park District and other various agencies, entities, or individuals to implement the grant as described in the file.

Section 6. That under Section 108(b) of the Charter, the purchases and/or services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance or Director of Public Works, as appropriate, on behalf of the Office of Sustainability may sign all documents that are

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necessary to obtain such services, and may enter into one or more contracts with the vendors and/or consultants selected through that cooperative process.

Section 7. That the costs of the requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQS 0112, RLA 2024-78)

Section 8. That the cost of the contract or contracts authorized shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance and other funds approved by the Director of Finance.

Section 9. 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.

VG:nl
8-7-2024
FOR: Interim Director Hartley

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READ FIRST TIME on AUGUST 7, 2024
and referred to DIRECTORS of Public Works,
Office of Sustainability, Capital Projects, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Finance Diversity Equity and Inclusion

REPORTS

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READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. **111** Page _____

Published in the City Record _____

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