

Ordinance No. 317-2020

**By Council Members McCormack,
Johnson and Kelley (by departmental
request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to enter into one or more agreements with the Northeast Ohio Regional Sewer District regarding the road, drainage, and sewer improvements on Literary Road from University Road to West 3rd Street under their Combined Sewer Overflow Project; authorizing any agreement necessary to complete the work; and to cause payment of the City's share of the improvement.

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 any section of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Capital Projects is authorized to enter into and execute one or more agreements with the Northeast Ohio Regional Sewer District ("NEORS"), regarding the road, drainage, and sewer improvements on Literary Road from University Road to West 3rd Street under their Combined Sewer Overflow Project (the "Improvement"). The agreement or agreements shall provide that it is NEORS's responsibility to provide for the design and construction of the Improvement, and contain other provisions needed to implement the Improvement.

Section 2. That the Director of Capital Projects is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to implement the Improvement.

Section 3. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement this ordinance.

Section 4. That the agreements shall be prepared by the Director of Law.

Section 5. That the Director of Capital Projects is authorized to cause payment of the City's share to NEORS, payable from Fund Nos. 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, 20 SF 592, from the fund or funds to which are credited the proceeds from the sale of future bonds, if issued for this purpose, and from any funds approved by the Director of Finance. (RQS 0103, RL 2020-31)

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.

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REPORT after second Reading

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READ FIRST TIME on MARCH 9, 2020
and referred to DIRECTORS of Capital Projects,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties, Finance

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

FILED WITH COMMITTEE

