

Ordinance No. 244-2022

**By Council Members Starr, Bishop,
Hairston and Griffin (by departmental
request)**

AN EMERGENCY ORDINANCE
Giving consent of the City of Cleveland to the
Director of Transportation of the State of Ohio to
construct Central Interchange improvements;
and authorizing 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 it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio (“the State”) to construct the following improvement under plans, specifications, and estimates approved by the State: construct the improvement for IR 90 in the Central Interchange (CCG3A) from East 9th Street to Carnegie Avenue and includes the Carnegie overhead bridge (SFN 1807897), PID 82382 (the “Improvement”).

Section 2. That the City gives its consent to the Improvement and its administration by the State, provided that this ordinance shall not be construed to impose any financial obligation on the City for the Improvement. The City agrees to assume and contribute 100% of the cost of any item, included in the construction contracts at the request of the City, which are determined by the State to be ineligible or unnecessary for the Improvement.

Section 3. That the Director of Capital Projects is authorized to enter into agreements with the State necessary to complete the planning and construction of the Improvement.

Section 4. That on completion of the Improvement and unless otherwise agreed, the City will maintain the rights-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

Section 5. The City agrees to the following:

(a) That all existing streets and public rights-of-way within the City necessary for the Improvement shall be made available for the Improvement.

(b) That the City grants permission to the State to acquire all necessary right-of-way required for the Improvement.

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(c) That the installation of all utility facilities on the rights-of-way shall conform with the requirements of Title 23 CFR 645 and the ODOT Utilities Manual.

Section 6. That this Council requests the State to proceed with the Improvement.

Section 7. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the Improvement.

Section 8. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

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.

SM:nl
3-7-2022
FOR: Interim Director DeRosa

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READ FIRST TIME on MARCH 7, 2022

and referred to DIRECTORS of Capital Projects,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Development Planning and Sustainability,
Finance Diversity Equity and Inclusion

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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Published in the City Record _____

REPORT
after second Reading

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

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COMMITTEE ON
**DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

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