

Ordinance No. 528-2023

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

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to enter into one or more contracts with the County of Cuyahoga to contribute funding for the construction of the Euclid Beach Trail Connector; and authorizing the Director to apply for and accept any gifts, grants or services from any public or private entity.

WHEREAS, the Euclid Beach Trail Connector is an approximately 2/3rd mile multi-purpose trail that will expand public lakefront access along the bluff on Lake Erie from the Metroparks' Euclid Creek Reservation west along the City neighborhoods of Beulah Park, Villa Beach, and a small portion of Shore Acres to the Lakefront Bikeway at Shore Acres Drive and Lake Shore Blvd. and will provide erosion control measures along the Lake Erie shoreline where the trail will be constructed (the "Improvement"); and

WHEREAS, the County of Cuyahoga will construct 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 any provision of the Codified Ordinances of Cleveland Ohio, 1976, to the contrary, the Director of Capital Projects is authorized to enter into one or more contracts with the County of Cuyahoga to contribute City funds for the Improvement.

Section 2. That the Director of Capital Projects is authorized to apply for and accept any gifts, grants, or services for the Improvement from any public or private entity; and that the director is authorized to file all papers and execute all documents necessary to receive any gift, grant funds or services; and that any funds received are appropriated for the purposes described in this ordinance.

Section 3. That the Director of Capital Projects and other appropriate City officials are authorized to enter into any agreements, execute any other documents or certificates, and take any other action necessary for the Improvement.

Section 4. That the contracts authorized by this ordinance shall be prepared by the Director of Law and contain such terms and conditions as the Director of Law determines necessary to protect the public interest, approved by the Director of Capital Projects, and certified by the Director of Finance.

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Section 5. That the costs of the agreements authorized shall not exceed \$3,000,000, and shall be paid from Fund No. 10 SF 400, from the fund or funds to which are credited any gift or grant funds accepted under this ordinance, and from any other funds approved by the Director of Finance. (RQS 0103, RL 2023-50)

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.

SM:nl
4-24-2023
FOR: Director DeRosa

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REPORT
after second Reading

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READ FIRST TIME on APRIL 24, 2023

REPORTS

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

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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COMMITTEE ON
MUNICIPAL SERVICES
AND PROPERTIES

FILED WITH COMMITTEE

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