

Ordinance No. 710-2023 AS AMENDED

By Council Members Bishop and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Works, on behalf of the Office of Sustainability, to apply for and accept a grant from the U.S. Department of Agriculture to conduct the USDA Composting and Food Waste Reduction project; to enter into various contracts to implement this ordinance; authorizing the Director to accept gifts from various public or private entities for this purpose.

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 Public Works, on behalf of the Office of Sustainability, is authorized to apply for and accept a grant in an amount up to \$400,000, from the U.S. Department of Agriculture ("USDA") to conduct the USDA Composting and Food Waste Reduction project; that the Director of Public Works 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 legislative summary for the grant contained in the file described below.

Section 2. That the legislative summary for the grant, File No. 710-2023-A, made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide a required in-kind match of approximate seven percent (7%) of the USDA's required twenty-five percent (25%) match requirement of the total project costs of the which the remaining approximate eighteen percent (18%) will be contributed by other parties, is approved in all respects and shall not be changed without additional legislative authority. (RQS 0112, RLA 2023-60)

Section 3. That the Director of Public Works, 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 as described in the file including but not limited to food waste collection, compost processing, monitoring, testing, staff training and other similar or related services.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Works, on behalf of the

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

Section 4. That the Director of Public Works, 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 Director of Public Works, during the grant term, for the necessary items of materials, equipment, supplies and services needed to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Works, on behalf of the Office of Sustainability. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contracts, for each or any combination of the items as the Board of Control determines.

Section 5. That the Director of Public Works, on behalf of the Office of Sustainability, is authorized to enter into one or more contracts with Rust Belt Riders Composting, LLC, Rid-All Foundation, Inc., Cuyahoga County Solid Waste District and other public entities to provide educational material and training sessions for Community Compost Ambassadors, Composting Workforce Development training program needs, engagement with area urban agriculture and community gardeners for the distribution of finished compost, and other similar or related services."

Section 5: 6. That the costs of the standard or 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

Ordinance No. 710-2023 AS AMENDED

under a delivery order against the contract or contracts certified by the Director of Finance.

Section 6: 7. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works, on behalf of the Office of Sustainability, may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7: 8. That the Director of Public Works, on behalf of the Office of Sustainability, is authorized to accept any gifts to implement this ordinance from any public or private entity, including any contribution towards the in-kind match required by the USDA; and that the Director of Public Works is authorized to file all papers and execute all documents necessary to receive the gift; and that any funds received are appropriated for the purposes described in this ordinance.

Section 8: 9. That the costs of the contract or contracts or payments authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds or gifts accepted under this ordinance.

Section 9: 10. 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:nl
6-5-2023
FOR: Director O'Keefe

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**REPORT
after second Reading**

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READ FIRST TIME **REPORTS**

and referred to _____

by the council _____

CITY CLERK

READ SECOND TIME

by the council _____

CITY CLERK

READ THIRD TIME

by the council _____

PRESIDENT

CITY CLERK

APPROVED

MAYOR