

# Ordinance No. 311-2024

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

## AN EMERGENCY ORDINANCE

Authorizing the Directors of Public Works and/or Port Control, as appropriate, to enter into a license agreement with the USS Cleveland Legacy Foundation, or its designee, to install and maintain the Lone Sailor monument at the northwest corner of City-owned property in Voinovich Park, and to make improvements to the area surrounding the monument, for an initial term of one year and automatically renewing year to year for a period up to twenty-five years, unless terminated by either party.

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 Section 183.16 of the Codified Ordinances of Cleveland, Ohio, the Directors of Public Works and/or Port Control, as appropriate, are authorized to enter into a license agreement with USS Cleveland Legacy Foundation, or its designee (the “Foundation”), to install and maintain the Lone Sailor monument at the northwest corner of City-owned property in Voinovich Park (the “Monument”), and making related improvements to the area surrounding the monument, including but not limited to installing new pavers, benches and donor walls, at a cost of \$1.00, plus five percent (5%) of the annual Common Area Maintenance Budget for Voinovich Park, and other valuable consideration. The location is depicted on the drawings placed in **File No. 311-2024-A**.

Section 2. That the term of the license agreement shall be for an initial term of one year and automatically renewing year to year for a period up to twenty-five years, unless terminated by either party.

Section 3. That the license agreement shall be prepared by the Director of Law and contain such terms as recommended by the Director of Law, including the requirement that the Foundation maintain and repair the Monument and improvements during the term of the agreement at no cost to the City, and that the Foundation maintain liability insurance during the term of the agreement with the City named as an additional insured.

Section 4. That the Directors of Public Works and/or Port Control, as appropriate, and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other action as may be necessary or appropriate to effect the license agreement authorized by this ordinance.

Section 5. 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.

AP:nl  
3-18-2024  
FOR: Directors Williams and Francis

