Ordinance No. 1010-2024

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

AN EMERGENCY ORDINANCE

Approving the report of the Assessment Equalization Board on objections concerning estimated assessments to design, inspect, reconstruct, repair and/or install roadways, sidewalks, driveway aprons, curbs (including adjustments of castings and landscaping, if necessary), encroaching upon the public right-of-way on Euclid Beach Boulevard (entire street) and E. 159th Street (from Euclid Beach Boulevard to Lakeshore Boulevard); determining to proceed with the improvements; and adopting the equalized assessments.

WHEREAS, the Assessment Equalization Board appointed by Resolution No. 619-2024, adopted July 10, 2024, to hear and determine all objections concerning the estimated assessments to design, inspect, reconstruct, repair and/or install roadways, sidewalks, driveway aprons, curbs (including adjustments of castings and landscaping, if necessary), encroaching upon the public right-of-way on Euclid Beach Boulevard (entire street) and E. 159th Street (from Euclid Beach Boulevard to Lakeshore Boulevard) in accordance with Resolution No. 1301-2023, adopted January 22, 2024 (the "Resolution of Necessity"), has filed its report with this Council as to its determination of such objections; and

WHEREAS, this Council deems said report proper in all respects except to change reference to Lakeside Avenue to Lakeshore Boulevard; 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 the report of the Assessment Equalization Board, appointed by Resolution No. 619-2024, adopted July 10, 2024, and contained in **File No. 1010-2024-A**, is approved.

Section 2. That the assessments as equalized by the Assessment Equalization Board and recommended in its report are approved, and the assessments are directed to be filed in the Office of the Clerk of this Council.

Section 3. That it is determined to proceed to improve Euclid Beach Boulevard (entire street) and E. 159th Street (from Euclid Beach Boulevard to Lakeshore Boulevard) by designing, inspecting, reconstructing, repairing and/or installing

roadways, sidewalks, driveway aprons, curbs (including adjustments of castings and landscaping, if necessary), encroaching upon the public right-of-way or otherwise improving the right-of-ways in accordance with the Resolution of Necessity.

Section 4. That the improvements shall be performed under the provisions of the Resolution of Necessity, and with the plans, specifications, and profiles approved and filed in the office of the Clerk of Council and in accordance with the estimates as equalized.

Section 5. That the estimated assessments for the improvements, as equalized by the Assessment Equalization Board, filed in the office of the Clerk of City Council, are adopted.

Section 6. That it is further determined that the portion of the cost of the improvements to be assessed against benefited property shall be assessed in the amount, manner and number of installments as provided for in the Resolution of Necessity.

Section 7. That no claims for damages resulting from the improvements have been filed.

Section 8. That the Clerk of this Council is directed to deliver a certified copy of this ordinance to the County Auditor within fifteen (15) days after the passage of this ordinance as required by Section 319.61 of the Revised Code.

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.

DR:nl
9-23-2024
FOR: Director DeRosa

Ord. No. 1010-2024

[File No. 1010-2024-A]

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

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READ FIRST TIME on SEPTEMBER 23, 2024 **REPORTS**
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

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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REPORT
after second Reading

PASSAGE RECOMMENDED BY COMMITTEE ON
MUNICIPAL SERVICES AND PROPERTIES

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY COMMITTEE ON
DEVELOPMENT, PLANNING AND SUSTAINABILITY

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY COMMITTEE ON
FINANCE, DIVERSITY, EQUITY and INCLUSION

FILED WITH COMMITTEE

Published in the City Record _____