

# Ordinance No. 1408-18

**Council Members Brancatelli and Kelley  
(by departmental request)**

## **AN EMERGENCY ORDINANCE**

Authorizing the Commissioner or Purchases and Supplies to purchase land from the Ohio Department of Transportation located within the project boundaries of the Opportunity Corridor Transportation Project for the Industrial-Commercial Land Bank for redevelopment, and/or to accept donation of excess land from the Ohio Department of Transportation located within the project boundaries of the Opportunity Corridor Transportation Project for a public purpose; authorizing the Director of Economic Development to enter into one or more agreements with ODOT for the donation, purchase, or option to purchase and to exercise any option to acquire.

---

WHEREAS, the Opportunity Corridor Transportation Project ("Opportunity Corridor") is a transportation and economic development project to be constructed by the Ohio Department of Transportation ("ODOT") aimed at connecting Interstate 490 to the University Circle neighborhood with project boundaries between I-490 and East 55<sup>th</sup> Street to Chester Avenue and East 105<sup>th</sup> Street ("Project Boundaries"); and

WHEREAS, ODOT owns, or will own, excess properties located within the Project Boundaries that will not be used for roadway improvements which ODOT wishes to convey to the City of Cleveland for public purpose or redevelopment; 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 Director of Economic Development or other appropriate director is authorized to accept, on behalf of the City of Cleveland, donation of excess lands from ODOT that are located within the Project Boundaries and are needed for a public purpose or redevelopment.

Section 2. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, and as an alternate to the donations previously authorized, the Commissioner of Purchases and Supplies is authorized to purchase any excess lands from ODOT that are located within the Project Boundaries. The consideration to be paid for the property shall not exceed fair market value as determined by the Board of Control.

# Ordinance No. 1408-18

---

Section 3. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Economic Development is authorized to enter into one or more Option to Acquire Agreements with ODOT for any property located within the Project Boundaries that the City wishes to acquire. The cost of each Option to Acquire Agreement with ODOT shall be \$1.00 and other valuable consideration.

Section 4. That the Director of Economic Development is authorized to exercise any Option to Acquire Agreement authorized under this ordinance.

Section 5. That the Director of Economic Development, or other appropriate director, is authorized to enter into any agreement with ODOT to implement this ordinance and to execute on behalf of the City of Cleveland all necessary documents to effect the purposes of this ordinance.

Section 6. That any agreement shall be prepared by the Director of Law.

Section 7. That any property acquired by the Director of Economic Development under this ordinance will become a component of the City of Cleveland's Industrial-Commercial Land Bank, and, as such, will be regulated by Chapter 5722 of the Revised Code and Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, regarding acquisition and disposition of the property.

Section 8. That all costs of acquiring, accepting, and recording the land shall be paid from fund approved by the Director of Finance.

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.

RB:nl  
11-19-18  
FOR: Director Ebersole

Council Members Brancatelli and Kelley (by departmental request)

**AN EMERGENCY ORDINANCE**

Authorizing the Commissioner or Purchases and Supplies to purchase land from the Ohio Department of Transportation located within the project boundaries of the Opportunity Corridor Transportation Project for the Industrial-Commercial Land Bank for redevelopment, and/or to accept donation of excess land from the Ohio Department of Transportation located within the project boundaries of the Opportunity Corridor Transportation Project for a public purpose; authorizing the Director of Economic Development to enter into one or more agreements with ODOT for the donation, purchase, or option to purchase and to exercise any option to acquire.

**READ FIRST TIME on NOVEMBER 19, 2018**  
**and referred to DIRECTORS of Economic Development,**  
**City Planning Commission, Finance, Law;**  
**COMMITTEES on Development Planning and Sustainability, Finance**

**REPORTS**

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. \_\_\_\_\_ Page \_\_\_\_\_

Published in the City Record \_\_\_\_\_

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
DEVELOPMENT, PLANNING AND  
SUSTAINABILITY

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE

FILED WITH COMMITTEE