

Ordinance No. 879-2020

By Council Members Brancatelli and Kelley (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of City Planning to apply for and accept one or more grants from the Northeast Ohio Area Coordinating Agency and the Ohio Department of Transportation for the 2021 Transportation for Livable Communities Initiative; authorizing a tri-party agreement with NOACA and the Ohio Department of Transportation; authorizing agreements with various entities; accepting cash donations; and authorizing the Director to employ one or more professional consultants to implement the grant.

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 City Planning is authorized to apply for and accept one or more grants in the total amount up to \$290,000 from the Northeast Ohio Area Coordinating Agency (“NOACA”) and the Ohio Department of Transportation (“ODOT”) to conduct the 2021 Transportation for Livable Communities Initiative (“TLCI”). That the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grants; and that the funds are appropriated for the purposes described in the award letters and applications for the grants contained in the file described below.

Section 2. That the award letters and applications placed in **File No. 879-2020-A**, are made a part of this ordinance as if fully rewritten, are approved in all respects, and shall not be materially changed without additional legislative authority.

Section 3. That the Director of City Planning is authorized to accept cash donations from partners if available to implement the grants authorized in this ordinance. The donated funds shall be deposited into a fund or fund designated by the Director of Finance and are appropriated for this purpose.

Section 4. That the Director of City Planning is authorized to enter into a tri-party agreement with NOACA and ODOT for the TLCI, for the purposes set forth in the File and award letters and applications referenced in the foregoing Section 2, including but not limited to, the process for approving deliverables, authorizing the direct

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payment by ODOT or NOACA to third parties, or entering into interagency agreements if necessary.

Section 5. That the Director of City Planning is authorized to enter into one or more contracts with various entities to implement the grant as described in the file.

Section 6. That the Director of City Planning 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 conduct related services necessary to implement the grant as described in the file.

As required by ODOT, the selection of the consultants for the services must comply with Sections 153.65 through 153.71 of the Ohio Revised Code and Federal Regulations 23 CFR 172. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of City Planning, and certified by the Director of Finance.

Section 7. That the cost of contract or contracts authorized shall be paid directly by ODOT to the parties, directly by NOACA to the parties, from the fund or funds that are credited with the proceeds from the grant accepted under this ordinance, or from other fund or funds approved by the Director of Finance.

Section 8. 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.

SMA:nl
11-18-2020
FOR: Director Collier

By Council Members Brancatelli and Kelley (by departmental request)

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READ FIRST TIME on NOVEMBER 18, 2020

REPORTS

**and referred to DIRECTORS of City Planning Commission, Finance, Law;
COMMITTEES on Development, Planning and Sustainability, Finance**

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
