

# Ordinance No. 1037-2021

By Council Members Kelley and McCormack

## AN EMERGENCY ORDINANCE

Authorizing the Director of Public Works to enter into a third amendment to the June 30, 2016, Property Operations and Programming Agreement with the Group Plan Commission for Public Square to provide a restricted contribution to support the Commission's maintenance obligations on Public Square.

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WHEREAS, under Ordinance No. 1061-14, passed September 15, 2014, this Council, among other things, authorized the Director of Public Works to enter into a Property Operations and Programming Agreement with the Group Plan Commission relating to operating, preserving, maintaining, and providing ongoing programming and supplemental maintenance at Public Square; and

WHEREAS, under Ordinance No. 554-2019, passed May 13, 2019, this Council authorized an amendment to the above referenced Agreement to provide a restricted contribution to support the Commission's maintenance obligations on Public Square; and

WHEREAS, under Ordinance No. 734-2020, passed October 21, 2020, this Council authorized a second amendment to the above referenced Agreement to provide a restricted contribution to support the Commissioner's continuing maintenance obligations on Public Square; and

WHEREAS, this ordinance constitutes an emergency measure for the immediate preservation of public peace, property, health or safety, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Public Works is authorized to enter into third amendment to the June 30, 2016 Property Operations and Programming Agreement with the Group Plan Commission for Public Square, authorized by Ordinance No. 1061-14, passed September 15, 2014, to provide a restricted contribution to support the Commission's continuing maintenance obligations on Public Square. All other terms and conditions contained in the Agreement shall remain the same.

Section 2. That the amendment referenced in Section 1 shall be prepared by the Director of Law.

Section 3. That the costs of the contract amendment authorized herein shall not exceed \$500,000 and shall be paid from Fund No. 01-9998-6320.

Section 4. That this ordinance is hereby 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.

# Ord. No. 1037-2021

REPORT  
after Second Reading

By Council Members Kelley and McCormack

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**READ FIRST TIME on NOVEMBER 15, 2021**  
**and referred to DIRECTORS of Public Works, Finance, Law;**  
**COMMITTEES on Municipal Services and Properties, Finance**

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
**MUNICIPAL SERVICES  
AND PROPERTIES**

FILED WITH COMMITTEE

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
**FINANCE**

FILED WITH COMMITTEE

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