

Ordinance No. 255-2023

By Council Members McCormack and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into a Lease by Way of Concession to design, install, implement, manage, and maintain a neutral-host distributed antenna system at Cleveland Hopkins International Airport, for the Department of Port Control, for a period of five years, with three one-year options to renew, the first of which requires additional legislative authority.

WHEREAS, a neutral-host distributed antenna system improves cellular and wireless signal strength in large facilities that frequently accommodate thousands of devices with strong bandwidth; and

WHEREAS, Cleveland Hopkins International Airport serves over 9.5 million customers per year and having a neutral-host distributed antenna system will greatly benefit the air travelling public, airline tenants, other CLE tenants, and CLE operations; 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, notwithstanding Section 183.03 or any other provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is authorized to enter a Lease by Way of Concession on the basis of competitive proposals to design, install, implement, manage, and maintain a neutral-host distributed antenna system at Cleveland Hopkins International Airport, for the Department of Port Control, for a period of five years, with three one-year options to renew, the first of which requires additional legislative authority. The first of the one-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. The selection of the concessionaire shall be made by the Board of Control, upon the nomination of the Director of Port Control. The concession fee to be paid to the City shall be fixed by the Board of Control.

Section 2. That the Lease by Way of Concession shall be prepared by the Director of Law and contain such additional provisions that will protect and benefit the public interest.

Section 3. 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.

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REPORT
after second Reading

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READ FIRST TIME on FEBRUARY 27, 2023
and referred to DIRECTORS of Port Control, Finance, Law;
COMMITTEES on Transportation and Mobility,
Finance Diversity Equity and Inclusion

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
**TRANSPORTATION and
MOBILITY**

FILED WITH COMMITTEE

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COMMITTEE ON
**FINANCE, DIVERSITY, EQUITY
and INCLUSION**

FILED WITH COMMITTEE