

Resolution No. 1060-2024

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

FOR ADOPTION
September 30, 2024

AN EMERGENCY RESOLUTION

Determining that a petition to establish the North Coast Waterfront New Community Authority is sufficient and complies with the requirements of Section 349.03 of the Ohio Revised Code in form and substance; setting the time and place for a hearing on the petition and authorizing the notice by publication of such hearing; and declaring an emergency.

WHEREAS, the City of Cleveland, Ohio, in its capacity as a “developer” within the meaning of Revised Code Section 349.01(E) (the “City”), plans to establish a new community development program for the purposes of encouraging and supporting well-balanced and diversified land use patterns within the territory of the City, including facilities for the conduct of industrial, commercial, residential, cultural, educational, and recreational activities, all as described in Revised Code Chapter 349; and

WHEREAS, on September 30, 2024 the City, in its capacity as a developer, submitted to the Council of the City (“Council”), through its Clerk, pursuant to Revised Code Section 349.03, a Petition for Establishment of the North Coast Waterfront New Community Authority as a New Community Authority under Chapter 349 of the Ohio Revised Code (the “Petition”), a copy of which Petition is on file with the City (**File No. 1060-2024-A**); and

WHEREAS, the new community district, as described in the Petition (the “District”), is located entirely within the municipal corporate boundaries of the City, a municipal corporation, and this Council, as the legislative authority of the City, is therefore the organizational board of commissioners for purposes of this Petition; and

WHEREAS, this Council, as the organizational board of commissioners for the Petition under Revised Code Section 349.01(F), is the legislative authority of the City, and the City is the only “proximate community” within the meaning of Revised Code Section 349.01(M) for the Petition; and

WHEREAS, this Council has reviewed the Petition, and by this Resolution desires to legislatively determine, pursuant to Revised Code Section 349.03, that the Petition complies with the requirements of that section as to form and substance; pursuant to Revised Code Section 349.03, to set the time and place of a hearing on the Petition; and further pursuant to Revised Code Section 349.03, authorize the notice by publication of the hearing on the Petition; and

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WHEREAS, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That this Council hereby acknowledges and determines that, pursuant to Revised Code Section 349.01(F)(3), it is the “organizational board of commissioners” for the Petition for all purposes of Revised Code Chapter 349.

Section 2. That this Council has examined the Petition and finds and determines that the Petition is sufficient and complies with the requirements of Revised Code Section 349.03 in form and substance. This Council further ratifies the execution of the Petition by the City and its submission to the Clerk of Council.

Section 3. That pursuant to Revised Code Section 349.03, this Council hereby determines to hold a hearing on the Petition at the offices of the City, 601 Lakeside Avenue, Cleveland, Ohio 44114, on November 12, 2024 at 9:30 a.m., and this Council hereby authorizes the Clerk of Council to cause notice of the hearing to be published once a week for three consecutive weeks, or as provided in Revised Code Section 7.16, in a newspaper of general circulation within Cuyahoga County, Ohio, pursuant to Revised Code Section 349.03(A)(8).

Section 4. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were passed in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

SM:RB:nl
9-30-2024
FOR: Director McNair

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(by departmental request)**

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READ FIRST, SECOND AND THIRD TIME

READ FIRST TIME
and referred to

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME on SEPTEMBER 30, 2024

PRESIDENT

CITY CLERK

APPROVED

MAYOR