

# Ordinance No. 399-2024

By Council Members McCormack and Griffin (by departmental request)

## AN EMERGENCY ORDINANCE

To amend Section 1 of Ordinance No. 255-2023, passed April 10, 2023, relating to the design, installation, implementation, management and maintenance of a Neutral-Host Distributed Antenna System at Cleveland Hopkins International Airport.

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 Section 1 of Ordinance No. 255-2023, passed April 10, 2023, is amended to read as follows:

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~~ ten years, with one five-year option 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 That existing Section 1 of Ordinance No. 255-2023, passed April 10, 2023, is repealed.

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.

JSM:uo  
4-15-2024  
FOR: Director Francis

