

Ordinance No. 386-2025

By Council Members Bishop and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

To amend the first whereas clause, the title, and Sections 1 and 5 of Ordinance No. 647-2024, passed June 3, 2024, relating to agreements with the Cleveland Cavaliers, or its designee, for improving Public Auditorium to allow the Cleveland Charge to conduct and host league basketball games; and to supplement the ordinance relating to parking.

WHEREAS, the Cleveland Charge is an American professional basketball team in the NBA G League based in Cleveland and is affiliated with the Cleveland Cavaliers (the “Cleveland Charge”); and

WHEREAS, under Ordinance No. 521-2024, passed July 10, 2024, this Council authorized the restructuring of the Department of Public Works and the creation of the Department of Parks and Recreation which has resulted in the shift of duties between the directors; and

WHEREAS, under Ordinance No. 647-2024, passed June 3, 2024, this Council authorized the Director of Public Works to enter an agreement with the Cleveland Cavaliers, or its designee (the “Cleveland Cavaliers”) to, among other things, play its league basketball games in the Public Auditorium as its home court by way of a City lease; and

WHEREAS, Ordinance No. 647-2024 requires that any parking agreement with the Cleveland Cavaliers shall require additional legislation; and

WHEREAS, this legislation constitutes the additional legislative authority required under Ordinance No. 647-2024 to authorize a parking agreement with the Cleveland Charge; 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 the first whereas clause, the title, and Sections 1 and 5 of Ordinance No. 647-2024, passed June 3, 2024, are amended to read as follows:

WHEREAS, the Cleveland Charge is an American professional basketball team in the NBA G League based in Cleveland and is affiliated with the Cleveland Cavaliers, and/or its designees (the “Cleveland Charge”); and

An Emergency Ordinance authorizing the Director of Public Works Directors of Public Works and/or Parks and Recreation, as appropriate, to enter into an agreement one or more agreements with the Cleveland Cavaliers, or and/or its designee designees, to permit and accept improvements to Public Auditorium for the Cleveland Charge, an affiliate of the Cleveland Cavaliers, to

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conduct and host G league basketball games, and to lease areas in Public Auditorium, for a term of six years.

Section 1. That, notwithstanding any section of the Codified Ordinances of Cleveland, Ohio, 1976, the ~~Director of Public Works~~ Directors of Public Works and/or Parks and Recreation, as appropriate, is authorized to enter into ~~an agreement~~ one or more agreements with the Cleveland Cavaliers, ~~or~~ and/or its designee designees (the "Cleveland Cavaliers"), to permit, subject to the approval of City officials, the construction of an estimated \$3,000,000 of various improvements in Public Auditorium, including but not limited to, constructing one or more locker rooms and office and team areas, upgrading, modifying and improving HVAC and other building systems, and making other related improvements, which would allow the Cleveland Charge to conduct and host G league basketball games during the term of the agreement (the "Improvements"); to accept the Improvements; and to lease areas in Public Auditorium for the Cleveland Charge to conduct and host such basketball games (collectively, the "Agreement"). The authorization to allow parking may be incorporated into the Agreement after receiving additional legislative authority, or may be authorized by a separate agreement, if necessary, by the Director of Public Works. Any ~~parking~~ or concession agreement shall require additional legislative authority.

Section 5. That the ~~Director~~ Directors of Public Works, Parks and Recreation, ~~the Director of Law,~~ and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effectuate this ordinance.

Section 2. That the existing first whereas clause, the title, and Sections 1 and 5 of Ordinance No. 647-2024, passed June 3, 2024, are repealed.

Section 3. That Ordinance No. 647-2024, passed June 3, 2024, is supplemented by adding new Sections 1a. and 1b. to read as follows:

Section 1a. That the Agreement shall include, among other things, provisions for parking in the Willard Park Garage and on East Mall Drive for Cleveland Charge full-time and part-time personnel on days when the Cleveland Charge is conducting and hosting pre-season, regular-season, and post-season, G league basketball games, including any parking passes needed by the Cleveland Charge for their full-time and part-time personnel for parking at Willard Park Garage. The amount of parking passes may be adjusted annually during the Agreement according to the needs of the Cleveland Charge. The Cleveland Charge's rent collected pursuant to the Agreement includes the costs of parking.

Any non-game special events conducted by, or associated with, the Cleveland Charge is not part of the Agreement.

Section 1b. That the Director of Public Works shall have the authority to close East Mall Drive to accommodate referee and Cleveland Charge senior staff parking during pre-season, regular-season, and post-season game days. The relevant times requested by the Cleveland Charge that the street should be closed on game days shall be approved by the Director of Public Works.

Section 4. 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.

