

Ordinance No. 647-2024

By Council Members Bishop and Griffin
(by departmental request)

FOR PASSAGE
June 3, 2024

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Works to enter into an agreement with the Cleveland Cavaliers, or its designee, to permit and accept improvements to Public Auditorium for the Cleveland Charge, an affiliate of the Cleveland Cavaliers, to conduct and host league basketball games, and to lease areas in Public Auditorium, for a term of six years.

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, 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 any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into an agreement with the Cleveland Cavaliers, or its designee (the “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 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 (the “Agreement”). Any parking or concession agreement shall require additional legislative authority.

Section 2. That, notwithstanding any section of the Codified Ordinances of Cleveland, Ohio, 1976 and as consideration of the Improvements, the Cavaliers shall pay the City an amount with and annual escalation to cover the cost of rent and labor for each game event which amount and escalation shall be determined by the Board of Control. In addition, the City shall credit rent and labor costs in the amount of 33% of the Improvement costs to a maximum of \$1,000,000.

Ordinance No. 647-2024

Section 3. That the term of the Agreement shall be for six years.

Section 4. That the Agreement shall be prepared by the Director of Law and shall contain such terms and conditions to protect and benefit the public interest.

Section 5. That the Director of Public Works, 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 6. 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.

SM:nl
6-3-2024
FOR: Director Williams

Ord. No. 647-2024

REPORT
after second Reading

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READ FIRST, SECOND AND THIRD TIME

READ FIRST TIME

REPORTS

and referred to

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME on JUNE 3, 2024

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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