

# Ordinance No. 866-2019

**Council Members Conwell, Brancatelli and Kelley (by departmental request)**

## **AN EMERGENCY ORDINANCE**

Authorizing the Director of Economic Development to enter into an amendment to Contract No. CT 9501 LA 2018\*024 with Cleveland Citywide Development Corporation for additional funds relating to the buildout of the retail incubator space.

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WHEREAS, under Ordinance No. 560-17, passed August 16, 2017, this Council authorized the Director of Economic Development ("Director") to enter into an agreement with Cleveland Citywide Development Corp. ("CCDC"), to provide a program of forgivable loans that improved retail facilities in one or more mixed-use developments ("Retail Incubator Program") in an aggregate amount not to exceed \$1.3 million dollars; and

WHEREAS, under Ordinance No. 560-17, the Director entered into Contract No. CT 9501 LA 2018\*024 ("Contract") with CCDC, in an amount not to exceed \$1 million dollars, (\$300,000 less than the Ordinance originally authorized) to provide funding to assist with the buildout and financial feasibility of the first Neighborhood Transformation Initiative Retail Incubator located at 1400 East 105<sup>th</sup> Street ("NTI Retail Incubator Site"); and

WHEREAS, during the buildout at the NTI Retail Incubator Site additional unforeseen expenses were realized that exceeded the Contract amount by \$390,000; and

WHEREAS, the Director wishes to amend the Contract to use the \$300,000 originally authorized in Ordinance No. 560-17 (that was not certified) and obtain authority to certify an additional \$90,000 from Fund No. 17 SF 076 and any eligible CORE City funds to fund the amendment; and

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

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

Section 1. That the Director of Economic Development is authorized to enter into an amendment to Contract No. CT 9501 LA 2018\*024 with Cleveland Citywide Development Corporation to provide additional funds to finance buildout related expenses at the NTI Retail Incubator Site.

Section 2. That the amendment shall be prepared by the Director of Law.

Section 3. That the cost of the amendment shall not exceed \$390,000 and shall be paid from Fund No. 17 SF 076 and any eligible CORE City funds as described in Section 2 of Ordinance No. 560-17, passed August 16, 2017. (RQS 9501, RL 2019-71).

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.

AP:nl  
7-24-19

FOR: Director Ebersole

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**READ FIRST TIME on JULY 24, 2019**

**and referred to DIRECTORS of Economic Development, Finance, Law;  
COMMITTEES on Development Planning and Sustainability, Finance**

**REPORTS**

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**CITY CLERK**

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**READ SECOND TIME**

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**CITY CLERK**

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**READ THIRD TIME**

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**PRESIDENT**

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**CITY CLERK**

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**APPROVED**

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**MAYOR**

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**REPORT  
after second Reading**

**PASSAGE RECOMMENDED BY  
COMMITTEE ON  
DEVELOPMENT, PLANNING AND  
SUSTAINABILITY**

FILED WITH COMMITTEE

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**PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE**

FILED WITH COMMITTEE

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